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## 1 INTRODUCTION

- 1.1 West Dunbartonshire Council published the Finalised Draft West Dunbartonshire Local Plan (hereinafter generally referred to as the “local plan”) in August 2007. The local plan written statement is structured into several sections, comprising the background to the plan which is set out in an introduction, the development strategy, the key policies and then sections which deal with separate subject matters these being general development, economic development, housing, town centres and retailing, transport, environment, open space and recreation, public services, development control, flooding and implementation. Within these separate sections, relevant policies and development opportunities are set out, together with supporting text and the reasoned justification for the policies. There is also a technical supplement at the end of the local plan.
- 1.2 The proposals map comprises a key policies map (showing the whole of the local plan area) and separate maps for Clydebank, Dumbarton and the Vale of Leven. An environmental report has been prepared under the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004, which provides a strategic environmental assessment of all the policies and development opportunities included in the local plan.
- 1.3 Following publication of the local plan objections were received, and these objections were considered by the council, following which a number of pre-inquiry modifications were agreed. These are set out in a separate document dated May 2008. Following continued negotiation with objectors, a number of further pre-inquiry modifications were agreed and these are set out in a report dated October 2008.
- 1.4 West Dunbartonshire Council appointed me to hold a Public Local Inquiry (hereinafter generally referred to as “the inquiry”) into the sustained objections made to the local plan, and pre-inquiry modifications, and to submit a report of that inquiry to the council. A pre-inquiry meeting was held on 26 August 2008, and a programme was set out for the inquiry and revised as appropriate in the lead up to the inquiry. The inquiry was held between 18 November 2008 and 1 December 2008. All of the inquiry sessions took the form of an informal hearing and in addition to the objections being considered at the inquiry, a significant proportion of the objections has proceeded on the basis of written submissions only. This report constitutes my report of inquiry to the council, and considers all of the sustained objections whether proceeding by inquiry or by written submissions. **Appendix 1** gives a list of all the persons appearing at the inquiry.
- 1.5 For consistency, the structure of my report is based on the order of the topics set out in the summary of the objections and the council’s response thereto which has been prepared by the council, circulated to objectors for agreement and placed on the council’s web site. In this respect, specific sites are generally (though not exclusively) placed under the topic reflecting the site’s current status in the local plan. The sequence under each topic is however based upon location (Clydebank, Dumbarton and Vale of Leven) rather than objection number. In addition, I have grouped related objections together in a single section of my report where possible, and where the objections within a specific section of my report relate to more than one subject matter, I have included that section within the structure of the report according to what I consider is most logical in the circumstances. The order of my consideration of the objections does not imply that any priority is being given to particular objections considered.

1.6 Following on from the above, the structure of my report is as follows:

- Green Belt Policy
- Green Belt Development Opportunities
- General Redevelopment Opportunities
- Economic Development Policy and Development Opportunities
- Housing Policy and Development Opportunities
- Town Centres and Retailing
- Environment
- Other Matters

1.7 For each section of the report, background information and a site description where appropriate is included. There then follows the summary of the case for the objectors, and the council's response. This is entirely based on the summary provided by the council (paragraph 1.5 above). However, I have in some cases further explained the case on behalf of objectors where I consider this necessary to ensure that the objection is fully understood, and I have made some alterations to the text in the interests of providing clarity. I would also mention that the order of summarising objections within each section is what I consider to be most logical in the circumstances, and this also does not imply any priority whatsoever. Objectors are grouped where appropriate in the text.

1.8 My conclusions and recommendations (including proposed modifications to the plan that I ask the council to consider) are then set out based upon the evidence submitted. If the council agrees to the proposed modifications, there may be other consequential changes that are referred to wherever it is considered appropriate. However, such references are not comprehensive, and I leave this matter for the further consideration of the council. I would also emphasise here that if I indicate that there is insufficient evidence to justify a particular conclusion on any matter referred to in my report, this is strictly related to the evidence submitted to the inquiry or contained in the written submissions and documents before the inquiry. Where I refer to specific sites for housing or other development in my report, these generally refer to sites listed (or being proposed for listing by objectors) within the various schedules of development opportunities set out in the local plan.

1.9 Consideration was given to the possibility of a session of the inquiry devoted to strategic local plan issues including housing land and the review of the green belt; these matters being relevant to a significant number of objections. However, given the relatively small proportion of objections proceeding at the inquiry, on balance it was considered unnecessary to hold such a session. These matters were therefore raised as appropriate in relation to individual policy or site specific objections. I would also mention in passing that where the green belt review is referred to in my report, this relates primarily to the landscape assessment of the green belt undertaken on behalf of the council by Ironside Farrar, which is essentially the culmination of the green belt review and I understand supersedes earlier work undertaken by council officers.

1.10 Notwithstanding the above, and in order to avoid the repetition of my consideration of these matters in numerous sections, I have decided to set out more general conclusions about housing land and the green belt review in a separate section at the beginning of my report. I have also set out general conclusions relating to the Antonine Wall in this section. These conclusions relate to multiple objections and different sites being examined, and are carried forward to the relevant sections of my report and expanded

upon where appropriate. The conclusions are of course derived entirely from the evidence submitted to the inquiry, or raised within written submissions.

- 1.11 Following agreement with the council, this report is submitted in a concise form. In particular, in the interests of providing a user-friendly report, and in the context of paragraph 54 of the Code of Practice for Local Plan Inquiries, I have kept the background and site descriptions very concise (maps assist with the latter and are referred to in paragraph 1.14 below) and the case for objectors and the council's response to a summary of the main points of evidence, which are (subject to the revisions referred to in paragraph 1.7 above) essentially as prepared by the council and included on the web site.
- 1.12 However, I would emphasise that account has been taken of all the evidence submitted to the inquiry, including the written submissions that have been made, and the documents that have been lodged. **Appendix 2** lists all the documents (except those lodged with the original objection) and in this context core documents produced by the council are distinguished from other documents.
- 1.13 SPPs, NPPGs and PANs are referred to in my report, and these references relate to the revised versions where these have been published. There are also references to the Glasgow and the Clyde Valley Joint Structure Plan 2006 (GCVSP), operative from 29 April 2008, and other reports. The numbering of local plan policies, paragraphs and development opportunities referred to in this report are those in the **current finalised draft local plan**. I recognise that these numbers may have to change following subsequent modifications to the plan. **Appendix 3** sets out a list of the abbreviations used in this report.
- 1.14 With respect to site specific objections, I have visited the relevant sites unaccompanied by the parties involved. Also with respect to site specific objections I include maps in the report to assist with the identification of objection sites and illustrate my recommendations and proposed modifications where appropriate. Areas and boundaries shown on these maps should be treated as indicative and for guidance only rather than precise. **These maps refer to matters considered in the report, and are not inset maps for the local plan.**
- 1.15 **Appendix 4** sets out a list of all the objections (including to pre-inquiry modifications) in numerical order, and refers to the relevant section within which they are considered in my report. Where objections have been conditionally withdrawn subject to a proposed modification, these are still considered in the report. Otherwise objections withdrawn are so indicated, and where "W" appears in Appendix 4, this indicates that these objections are not considered in my report because they have been withdrawn.
- 1.16 Pre-inquiry modifications are examined in my report and taken into account in my conclusions and recommendations, where they relate to objections lodged. Other pre-inquiry modifications are not considered. The proposed modifications that I recommend to the council are additional to the pre-inquiry modifications proposed by the council that are not related to objections. Pre-inquiry modifications are referred to in the text as PIMs.
- 1.17 I take this opportunity to mention that Section 2 of the Planning etc. (Scotland) Act 2006, which sets out a new regime for development plans in Scotland, came into force on 28 February 2009, together with the Town and Country Planning (Development

Planning) (Scotland) Regulations 2008. However, since the inquiry for this local plan has been formally advertised under Regulation 34 of the 1983 Regulations, and the inquiry has been duly held, this local plan continues to adoption under the 1997 Act and 1983 Regulations through the transitional arrangements that apply. However, where I refer in the text of my report to the next local plan review, this of course relates to the preparation of a local development plan under the 2006 Act.

- 1.18 The inquiry itself was conducted in accordance with the Code of Conduct for Local Plan Inquiries. However, a more informal “hearing” approach was adopted for all of the sessions held, with the agreement of the objectors. In any event, throughout the inquiry my aim was to ensure that the principles of impartiality, openness and fairness were respected. At the same time, as much informality was introduced as the above principles would allow.
- 1.19 The work of council officers is acknowledged, both before and during the inquiry, which enabled the inquiry to progress as efficiently as possible, and to properly take into account the interests of all parties concerned. Thanks are due in particular, to the programme officer, Mr Craig Valentine, for his excellent administration of all procedures before and during the inquiry.

## **2 SUMMARY OF RECOMMENDATIONS AND PROPOSED MODIFICATIONS**

Relevant section number shown in brackets.

### **(4) GREEN BELT POLICY AND REVIEW AND THE DESIGNATION OF AREAS OF OPEN SPACE WITHIN THE URBAN AREA**

- 2.1 The fourth bullet point of Policy GB 1 should be modified in accordance with PIM 10.
- 2.2 The sixth bullet point of Policy GB 1 should be deleted and the text incorporated into the last paragraph in accordance with PIM 11.
- 2.3 The proposed text to be incorporated into paragraph 3.14 through PIMs 8 and 32 should not be included, and paragraph 3.14 should not be modified in this respect.
- 2.4 There should be no modification to the local plan (apart from in relation to site specific objections) with respect to these objections resulting from either the content or the process of the green belt review.
- 2.5 Sites 5, 10, 11, 14 and 32 should be included either as green belt, open space or as part of the existing residential area on the proposals map as shown on map 1.
- 2.6 The site north of the A82 should be included in Schedule PS 3 as public services opportunity PS 3(11) for a special needs care centre, in accordance with PIM 13, but the site should also be designated green belt under Policy GB 1.

### **(5) OPEN SPACE AT THE DALMUIR WEDGE, CLYDEBANK**

- 2.7 The whole of the Dalmuir Wedge, with the exception of the Dalmuir Park, should be designated as green belt under Policy GB 1.
- 2.8 The Dalmuir Park should remain within the urban area designated as open space under Policy R 1.
- 2.9 In the event however, that the council does not accept that the Dalmuir Park should be treated differently to the remainder of the Dalmuir Wedge, then the whole of the Dalmuir Wedge should be designated as green belt under Policy GB 1.
- 2.10 The existing public service facilities should remain designated under Policy PS 1, and public services opportunity PS 3(7) should remain designated in Schedule PS 3 as shown on map 2, but with the boundary of the site adjusted in accordance with PIM 103.
- 2.11 The local nature conservation sites should remain designated under Policy E 3A as shown on the proposals map.
- 2.12 Housing opportunity H 2(12) should be deleted from the local plan and from the proposals map in accordance with PIM 35.

**(6) GREEN BELT LAND AT GREAT WESTERN ROAD, CLYDEBANK**

2.13 The site at Great Western Road, Clydebank should be retained within the green belt under Policy GB 1.

2.14 That part of the site with outline planning permission for a special needs care centre should remain designated as public services opportunity PS 3(11) in Schedule PS 3, in accordance with PIM 13, but should also be retained within the green belt.

**(7) HOUSING OPPORTUNITY SITE AT CLYDEBANK AND DISTRICT GOLF COURSE, CLYDEBANK**

2.15 The site at the Clydebank and District Golf Course should be retained within the green belt and buffer zone of the Antonine Wall, and the site should not be included as a housing opportunity in Schedule H 2 or as reserve housing land.

**(8) HOUSING OPPORTUNITY SITE AT AUCHINLECK ROAD, HARDGATE, CLYDEBANK**

2.16 The site at Auchinleck Road, Hardgate should be retained within the green belt and should not be included as a housing opportunity in Schedule H 2.

**(9) HOUSING OPPORTUNITY SITE AT DUNTIGLENNAN FARM, DUNTOCHER, CLYDEBANK**

2.17 The site at Duntiglenan Farm, Duntocher should be retained within the green belt and should not be included as a housing opportunity in Schedule H 2.

**(10) HOUSING OPPORTUNITY SITE AT CARLEITH FARM, DUNTOCHER, CLYDEBANK**

2.18 The site at Carleith Farm, Duntocher should be retained within the green belt and should not be included as a housing opportunity in Schedule H 2.

**(11) HOUSING OPPORTUNITY SITE AT DUMBUCKHILL, DUMBARTON**

2.19 The site at Dumbuckhill, Dumbarton should be retained within the green belt and should not be included as a housing opportunity in Schedule H 1.

**(12) HOUSING OPPORTUNITY AND SPECIALISED ECONOMIC DEVELOPMENT SITE NORTH AND SOUTH OF A82 AT STRATHLEVEN, DUMBARTON**

2.20 The site to the south of the A82 should be retained within the green belt under Policy GB 1.

2.21 The site to the north of the A82 should form an extension to site LE 5A(i) (with the remainder being retained in the green belt) as shown on map 9, in accordance with further PIM 122. However, the council should be satisfied that the risk of flooding is not a constraint to development of the site through consultation with SEPA if necessary.

**(13) HOUSING OPPORTUNITY SITE AT STIRLING ROAD, BONHILL**

2.22 The site at Stirling Road, Bonhill should be retained within the green belt and should not be included as a housing opportunity in Schedule H 1 of the local plan.

**(14) REDEVELOPMENT OPPORTUNITY AT ERSKINE FERRY ROAD, OLD KILPATRICK**

2.23 The site at Erskine Ferry Road, Old Kilpatrick, opportunity GD 2(7), should be deleted from Schedule GD 2 of the local plan and the site should be designated as open space under Policy R 1.

**(15) REDEVELOPMENT OPPORTUNITY AT THE BOWLING BASINS, BOWLING**

2.24 The site at the Bowling Basins should be retained as redevelopment opportunity GD 2(10) in Schedule GD 2 for the uses already specified, with the addition of “open space including the retention of some natural habitat” after small scale ancillary retail.

2.25 A new paragraph should be added to the reasoned justification after paragraph 4.7 in similar terms to the following:

“In addition, a site at the Bowling Basins, which lies within the built up area but includes a significant area of naturally regenerating woodland, is appropriate for mixed use redevelopment. Residential development (indicative figure of 90 houses), commercial development (such as a hotel), commercial and tourism expansion of existing uses (including ancillary retail uses) and open space will be appropriate for the site. The open space should include retention of some areas of natural habitat. The character and setting of the canal, which is a scheduled monument, and listed buildings on the site, shall be respected in any proposal for development. A flood risk assessment will be required, and any land raising should not undermine the retention of areas of natural habitat on the site”.

2.26 The link road from A814 Bowling to A814 Dumbuck should be retained in Schedule T 3, subject to the addition of: “terminating in Bowling no further east than the entrance to the former Esso site designated under Policy LE 4”.

**(16) REDEVELOPMENT OPPORTUNITY AT DUMBUCK WAREHOUSES, DUMBARTON**

2.27 The site at Dumbuck Warehouses, Dumbarton, with the exception of the area designated as redevelopment opportunity GD 2(13) which should remain as shown on map 13, should be retained within the existing industrial/business land supply under Policy LE 1, and should not be included as a redevelopment opportunity in Schedule GD 2.

**(17) REDEVELOPMENT AND HOUSING OPPORTUNITIES AT BANK STREET AND KIPPEN DAIRY, ALEXANDRIA**

2.28 The site at Bank Street, Alexandria should be retained in Schedule GD 2 as redevelopment opportunity GD 2(18) with the proposed uses being retail, residential, and commercial use.

2.29 The site at Kippen Dairy, Alexandria should be deleted from Schedule H 1, and should instead be included in Schedule GD 2 as a redevelopment opportunity in accordance with the addendum to further PIM 129, but with the proposed uses being retail, commercial, leisure and residential use.

### **(18) INDUSTRIAL/BUSINESS POLICIES IN THE LOCAL PLAN**

2.30 Policies LE 5 and LE 6 should be modified in accordance with PIM 20 and PIM 24.

### **(19) REDEVELOPMENT OPPORTUNITY AT ROTHESAY DOCK, CLYDEBANK**

2.31 The site at Rothesay Dock, Clydebank, should be retained within the existing industrial/business land supply under Policy LE 1 and should not be included as a redevelopment opportunity in Schedule GD 2.

### **(20) REDEVELOPMENT OPPORTUNITY AT FORMER ESSO SITE, BOWLING**

2.32 Policy LE 4 should be retained subject to the modifications to the text in PIM 19.

### **(21) HOUSING OPPORTUNITY SITE AT CASTLEGREEN STREET, DUMBARTON**

2.33 The site at Castlegreen Street, Dumbarton, should be retained within the industrial/business land supply under Policy LE 1 and should not be included as a housing opportunity in Schedule H 1.

### **(22) REDEVELOPMENT OPPORTUNITY AT SANDPOINT MARINA, DUMBARTON**

2.34 The site at Sandpoint Marina, Dumbarton, should be retained within the existing industrial/business land supply under Policy LE 1 and should not be included as a redevelopment opportunity in Schedule GD 2.

### **(23) INDUSTRIAL/BUSINESS AND HOUSING OPPORTUNITIES AT MAIN STREET, JAMESTOWN**

2.35 Opportunity LE 1(10) and the proposed new housing opportunity should be retained in accordance with PIM 30, and new Policy LE 1B should be included in accordance with further PIM 30A, subject to this policy referring to opportunity LE 1(10) rather than LE 1(20), with appropriate textual modifications, and with the reasoned justification being adjusted accordingly.

2.36 Opportunity LE 1(20) should be deleted from Schedule LE 1 and the site should instead be designated as green belt under Policy GB 1.

### **(24) HOUSING POLICIES IN THE LOCAL PLAN**

2.37 Policy GD 1 and the reasoned justification should be modified in accordance with PIM 14, and the indicative capacity of housing opportunity H 1(16) should be changed to 230 units in accordance with PIM 47, but otherwise there should be no modification to the local plan with respect to these objections.

### **(25) POLICY FOR SOCIAL HOUSING OPPORTUNITIES IN THE LOCAL PLAN**

2.38 Schedule H 4 should include all sites and capacities that show a commitment to the provision of social rented housing at the time of adoption of the local plan.

### **(26) HOUSING OPPORTUNITY SITE AT CROSSLET HOUSE, DUMBARTON**

2.39 The site at Crosslet House, Dumbarton, should be retained as housing opportunity H 1(12) in Schedule H 1, and should not be designated as green belt under Policy GB 1 or as open space within the urban area under Policy R 1.

2.40 The indicative capacity for the site should be reduced to 40.

2.41 The area excluded from the housing opportunity site through PIMs 54 and 60 should be extended and designated as open space under Policy R 1, as shown on map 19.

2.42 The proposed new junction on the A82 trunk road at Crosslet should be retained in Schedule T 3.

### **(27) HOUSING AND PUBLIC SERVICES OPPORTUNITIES, LEVENBANK TERRACE, JAMESTOWN**

2.43 The site at Levenbank Terrace, Jamestown, should be retained as housing opportunity H 1(17), but the area designated for community facilities as opportunity PS 3(8) should be extended in accordance with PIM 41, and approximately as shown on map 20.

### **(28) TOWN CENTRES AND RETAILING**

2.44 Paragraph 7.12 should be modified in accordance with PIMs 64 and 67.

2.45 Additional sentences in similar terms to the following should be included at the end of paragraph 7.38: “Health checks will be undertaken in the context of paragraph 35 of SPP 8 in order to measure the strengths and weaknesses of the town centres in West Dunbartonshire, and to ensure their continued vitality and viability. The provisions of any PAN which gives guidance on this matter will be taken into account”.

2.46 The penultimate paragraph of Policy RET 1 should be modified in similar terms to the following: “Designs shall integrate a proposed development with its surroundings in terms of scale, materials and appearance, and shall create effective links with the surrounding urban fabric”.

2.47 The first sentence of the new retail policy introduced through PIM 65 should read: “New retail, commercial, leisure, cultural and public service developments and any other key town centre uses...”.

2.48 The word “need” should be replaced by the words “retail assessment” in the new retail policy in accordance with further PIM 124.

2.49 No modification to the provisions of Policy RET 2 or its reasoned justification should be made with respect to these objections.

- 2.50 Paragraph 7.42 of the reasoned justification for Policy RET 3 should be modified in accordance with PIM 63.
- 2.51 The Lomond Galleries, Alexandria, should be included in the schedule under Policy RET 3 in accordance with PIM 66.
- 2.52 The schedules under Policies RET 3 and GD 2 should be updated to reflect the known position at the time the local plan is adopted.
- 2.53 The schedule under Policy RET 3 should be renamed “Schedule RET 3”.
- 2.54 The second sentence of Policy RET 5 should be modified in similar terms to the following: “In the existing ground floor retail units along those core retail frontages identified in maps RET 5A and B, there shall be a presumption against any change of use from Class 1 (as defined by the Use Classes (Scotland) Order 1997) to non-retail use”.

### **(29) DUMBARTON TOWN CENTRE**

- 2.55 The town centre boundary should be retained as shown on the proposals map for Dumbarton.
- 2.56 The commercial centre designation under Policy RET 1A should be retained as shown on the proposals map for Dumbarton.
- 2.57 Policy RET 1A should be modified by the addition of a sentence at the end of the first paragraph in similar terms to the following: “Such proposals within the commercial centres adjoining the Clydebank and Dumbarton Town Centres will also be regarded as being in an edge of centre location in the context of box 3 of SPP 8, and will therefore require to be considered against the criteria listed in Policy RET 1”. A qualification should be made to the third bullet point of the proposed new retail policy introduced through PIM 65, relating to commercial centres, in similar terms to: “unless such are also in an edge of centre location”.
- 2.58 Paragraph 7.39 should be modified by an additional sentence before the penultimate sentence of the paragraph (or by including this at the beginning of a new paragraph) in similar terms to the following: “However, the commercial centres adjacent to the Clydebank and Dumbarton Town Centres will be considered to be edge of centre locations within the sequential approach set out in box 3 of SPP 8, and proposals for development therein will therefore be regarded as being within an edge of centre location in terms of this sequential approach, as it would be unreasonable to prefer development proposals on undesignated sites adjacent to the town centre to development proposals within these commercial centres”.
- 2.59 Opportunity RET 3(1) should be retained as a retail development opportunity in Schedule RET 1.

### **(30) REDEVELOPMENT OPPORTUNITY AT THE CLYDE RETAIL PARK, LIVINGSTONE STREET, CLYDEBANK**

2.60 The site within the Clyde Retail Park, to the south of Livingstone Street, Clydebank, should be retained as a redevelopment opportunity in Schedule GD 2 for retail, commercial and housing use, in accordance with PIM 61.

2.61 The site should remain designated within a commercial centre under Policy RET 1A.

### **(31) ENVIRONMENTAL POLICIES IN THE LOCAL PLAN**

2.62 Policy E 3A should be modified in accordance with PIMs 76 and 77, and Policy E 9 should be modified in accordance with PIM 82.

### **(32) SALMON AND FRESHWATER FISHERIES ON THE RIVER LEVEN**

2.63 A new paragraph after paragraph 9.7 of the reasoned justification for Policy E 1 should be inserted in accordance with PIM 75, with the last line of the paragraph further modified as follows: "...and migratory fish in the Rivers Clyde and Leven, including the Atlantic Salmon European protected species".

2.64 A new Policy E 3C headed "Protection and Enhancement of the Fisheries Resource of the River Leven" should be inserted after Policy E 3B in similar terms to the following:

"The council will seek to protect and enhance the River Leven fisheries resource through positive action to remedy any existing contaminated or degraded land within the River Leven Corridor. New development proposals within the corridor, which are likely to significantly affect the river or its catchment area, should demonstrate that there will be no significant adverse impact either in terms of any undue disturbance to protected species or their habitats in the river or its catchment area, or any pollution of the river or its catchment area".

2.65 The last sentence of paragraph 9.12 of the reasoned justification should be deleted and a new paragraph should be inserted after this paragraph with text in similar terms to the following:

"The importance of wildlife corridors, particularly along water courses, lochs, ponds and wetlands is also recognised. The River Leven SINC is a very important natural heritage resource and wildlife corridor, including the Atlantic Salmon which is a European protected species. The protection and enhancement of the river as a fisheries resource is therefore of significant importance to the biodiversity of the area. The council intends to work with other relevant agencies to seek through positive action to remedy any existing contaminated or degraded land within the River Leven Corridor. New development proposals affecting the corridor require particularly careful consideration to ensure that there is no adverse impact on this fisheries resource, either in terms of any significant disturbance of protected species or their habitats, or any pollution of the river itself or its catchment area".

**(33) ENVIRONMENTAL IMPROVEMENTS AT THE COCHNO WATERWORKS, CLYDEBANK**

- 2.66 Environmental opportunity E 8(2) at the Cochno Waterworks, Clydebank should be extended to the north west as shown on map 23. The remainder of the objection site should not be included within the environmental improvement opportunity site, and should be retained solely in the green belt under Policy GB 1.
- 2.67 Within Schedule E 8 and under proposed uses, the following text should be included for opportunity E 8(2): “conversion of the buildings to residential use or low density residential development”.
- 2.68 Paragraph 9.24 of the reasoned justification should be modified to state: “conversion of the existing buildings to residential use or low density residential development would provide...”.

**(34) ENVIRONMENTAL IMPROVEMENTS AND SOCIAL RENTED HOUSING OPPORTUNITY AT DALREOCH QUARRY, DUMBARTON**

- 2.69 The site at Dalreoch Quarry, Dumbarton, should be retained as a social rented housing opportunity in Schedule H 3, in accordance with PIMs 81 and 84, subject to further consultation with SNH.
- 2.70 The indicative capacity of the site and the area for development should be adjusted if necessary to reflect the retention of the site’s nature conservation value.
- 2.71 Any retained area of nature conservation value on the site should continue to be designated as a SINC under Policy E 3A.

**(35) POLICIES FOR OPEN SPACE AND RECREATION**

- 2.72 Policies GD 2, R 2, R 3, R 4D, DC 6 and DC 8 and paragraphs 10.7 and 10.9 should be modified in accordance with PIMs 92, 94 and 95 and further PIMs 123, 126, 127, 128 and 130.

**(36) POLICIES FOR WASTE MANAGEMENT AND WATER QUALITY**

- 2.73 Policies GD 1 and PS 4, and the appropriate reasoned justification, should be modified in accordance with PIMs 12, 102 and 115.

**(37) TRAFFIC CALMING MEASURES FOR CLARENCE STREET, CLYDEBANK**

- 2.74 No modification to Schedule T 3 of the local plan should be made with respect to this objection.

**3 GENERAL CONCLUSIONS RELATING TO HOUSING LAND, THE GREEN BELT REVIEW AND THE ANTONINE WALL**

**The purpose of this section is to set out general conclusions relating to housing land, the green belt review and the Antonine Wall that are common to more than one site specific objection. My conclusions in this section are carried forward as appropriate to the relevant site specific objections that follow.**

**Housing Land in the Clydebank and Dumbarton/Vale of Leven Areas**

- 3.1 In quantitative terms it is clear from tables 12 and 13 of the GCVSP that there is a surplus of housing land in both the Greater Glasgow North and West HSMA, and the Dumbarton and Vale of Leven HMA up to 2018. In addition, table 11 of the GCVSP shows that there is no requirement for additional housing land in West Dunbartonshire to 2018. Schedule H 2 (relating to the Clydebank area) of the local plan lists sites with an indicative total of 2,488 houses, which is significantly above the effective housing land supply of 1,521 houses identified in the latest HLA. Schedule H 1 (relating to the Dumbarton and Vale of Leven area) of the local plan lists sites with an indicative capacity of 2,456 houses, which is above the equivalent effective housing land supply for this area of 2,264, although these figures are closer than those for the Clydebank area.
- 3.2 Furthermore, although not quantified, there are housing elements within the redevelopment opportunity sites listed in Schedule GD 2 of the local plan. Beyond this there are windfall housing sites outwith the sites identified in the local plan. From the above, I am satisfied that there is sufficient housing land in quantitative terms to meet the need identified for the next 7 years and indeed over a 10 year period in the context of paragraph 39 of SPP 3 (revised 2008).

Effectiveness and Choice of Housing Sites in the Clydebank Area

- 3.3 The effectiveness of the housing sites within the Clydebank area has been questioned on behalf of objectors, with 3 sites on the Clydebank Riverside amounting to 66% of the total supply in Schedule H 2. I note that issues have been raised by objectors regarding ownership, access, contamination and risk of flooding in relation to these sites.
- 3.4 Notwithstanding the above, I am conscious that the programming of these sites, which has been agreed by HFS, extends significantly beyond the next 7 years. The sites are cleared of structures and contamination on the largest site has according to the evidence of the council been addressed. I therefore find that there is sufficient effective housing land for the next 7 years and that the land programmed beyond this period is likely to become effective in time for its development as programmed.
- 3.5 Strategic Policy 1 of the GCVSP requires priority to be given to investment within urban renewal areas, which include the Clydebank Riverside. Paragraph 64 of SPP 3 (revised 2008) states that redevelopment of brown field sites for housing should be preferred to development on green field sites, particularly where it supports the strategy of the development plan. The housing sites in Schedule H 2 focus on brown field locations within the Clydebank Riverside area; with those sites referred to in paragraph 3.3 above being the most significant in terms of their size. This clearly accords with the thrust of the national and strategic policy framework.

- 3.6 However, paragraph 58 of SPP 3 (revised 2008) requires that consideration be given to providing a variety of sites to provide choice across the HMA. In this context, I agree with the position of objectors that whilst a variety of house types can be provided within the large urban sites on the Clydebank Waterfront, the density of the housing is likely to be higher than on a green field site, with a much higher proportion of flatted housing development. In addition, I am conscious that there is necessarily a spatial concentration of housing land along the Clydebank Riverside; with only 2 small housing sites being designated to the north of the A82 (although I recognise that a fairly substantial site at Cochno Road has recently been developed for housing).
- 3.7 Furthermore, it has been confirmed by the council that there is only 1 green field site within Schedule H 2, this being site H 2(21) which has an indicative capacity of 15 houses. Notwithstanding the importance to the strategic policy framework of the preference for brown field over green field sites, it is perhaps somewhat extreme that only 15 units out of a total of 2,488 units are in a green field location.
- 3.8 I therefore conclude that there is a case for the designation of additional green field sites in Schedule H 2, on a limited scale, in the event that such do not undermine the objectives of the green belt and are acceptable in other environmental terms. If on a limited scale, this would not be inconsistent with the thrust of Strategic Policy 1 of the GCVSP, nor would it make a significant difference to the supply of housing land in the context of SPP 3 (revised 2008) referred to in paragraphs 3.1 and 3.2 above.
- 3.9 However, having carried forward the above conclusion to my consideration of specific opportunities for housing in the Clydebank area, proposed by objectors, I have been unable to recommend the inclusion of any of the sites considered for various environmental reasons. The possibility of an increased proportion of green field sites in the Clydebank area is therefore a matter for the further consideration of the council at the time of the next local plan review.

### Effectiveness and Choice of Housing Sites in the Dumbarton and Vale of Leven Area

- 3.10 The effectiveness of housing sites in the Dumbarton and Vale of Leven area has also been questioned on behalf of objectors, although not to the same extent as for the Clydebank area, and although the figures for the effective housing land supply in the latest HLA and the total provision in Schedule H 1 are much closer, there is no evidence before me to cast doubt on the programming of the sites identified. Housing choice has however been raised on behalf of some objectors, and I am conscious that there is a strong emphasis on the use of brown field sites, particularly in Dumbarton, which is also identified as an urban renewal area under Strategic Policy 1 of the GCVSP.
- 3.11 Nevertheless, whilst I have no evidence relating to the exact proportion, there appear to be more green field opportunities for housing development than exist in the Clydebank area, and therefore whilst I would not necessarily rule out further green field release for housing on a limited scale, I conclude that there is no demonstrated case for additional green field sites in Schedule H 1. In any event, I have been unable to recommend the inclusion of any additional green field housing sites following my consideration of the environmental implications of such opportunity sites proposed by objectors.

## **The Green Belt Review**

- 3.12 Paragraph 6 of SPP 21 sets out the key objectives of green belt policy, these being to direct planned growth to the most appropriate locations and support regeneration, to protect and enhance the character, landscape setting and identity of towns and to protect and give access to open space within and around towns, as part of the wider structure of green space. With respect to the review of green belts, I am conscious that paragraph 16 states that green belts should not be drawn too tightly around the urban edge in order to accommodate planned growth over a 20 year period without the need to encroach on green belt land.
- 3.13 However, Strategic Policy 1 of the GCVSP requires the continued designation and safeguarding of the Glasgow and Clyde Valley Green Belt, and Strategic Policy 7 then contains a presumption against development with a significant adverse effect on the landscape character of the green belt. The GCVSP was submitted to Scottish Ministers before SPP 21 came into force, and it is therefore likely that a strategic review of the Glasgow and Clyde Valley Green Belt in the context of SPP 21 will be considered within the strategic development plan for the area in due course.
- 3.14 Notwithstanding the above, the council has already undertaken a review of the green belt (finalised by a landscape assessment of the green belt undertaken on behalf of the council by Ironside Farrar) in the preparation of this local plan and has taken into account the provisions of SPP 21 in so far as it was able to do so. I accept the council's evidence that the green belt boundary drawn tightly around the urban area is a reflection of the strong focus on urban regeneration provided by Strategic Policy 1 of the GCVSP. I find that it will only be possible to fully reflect the provisions of paragraph 16 of SPP 21 in the local plan following a strategic review of the green belt in the strategic development plan.
- 3.15 I therefore conclude that the only basis for the removal of land from the green belt in this local plan is where such land no longer meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development within the strategic context provided by the GCVSP. For the avoidance of any doubt, these tests should be applied where a site has been removed from the green belt in the existing adopted local plan by the finalised draft local plan and is the subject of objection, or where an objector seeks the removal of land from the green belt that has been retained as such from the adopted local plan into the finalised draft local plan.

## **The Antonine Wall**

- 3.16 The Antonine Wall is a scheduled monument of international importance, also designated as a world heritage site, which runs through the northern part of Clydebank. Policies BE 6A and BE 6B of the local plan include a presumption against development that would have an adverse impact on this world heritage site and its buffer zones, and the line of the wall and its buffer zones are shown on the proposals map.
- 3.17 HS has prepared a detailed submission relating to the effects of development upon this scheduled monument and its buffer zones, and is in particular concerned about the allocation of 2 potential housing development sites, and a site proposed for removal from the green belt (with no specific development proposals), proposed by objectors to the

local plan. HS considers that the proposed development sites (and the removal of land from the green belt) are premature because no details are available and the precautionary principle should be applied. On the limited information available, it considers that development would have a significant adverse impact on the site of the Antonine Wall and its setting.

- 3.18 With respect to the allocation of housing sites in the local plan, it is unlikely that full details of any proposed development are available. However, it is sometimes the case that indicative layouts are available, and therefore whether or not individual sites should be allocated for housing development in the local plan, that affect the line of the Antonine Wall or its setting, to some extent depends on the nature of the site specific evidence available. I am aware that the policies in the local plan do not altogether preclude development within the buffer zones of the wall.
- 3.19 Nevertheless, I conclude that the Antonine Wall is of major importance to the heritage of Scotland, and unless it can be clearly demonstrated that development is unlikely to have an adverse impact, no sites for housing development should be designated in the local plan on the line of or within the buffer zones of the Antonine Wall.
- 3.20 The Antonine Wall is also a relevant matter to be considered in relation to the proposed removal of a site from the green belt, which affects the line of or is within the buffer zones of the wall. This is because Policy GB 1 provides additional protection against inappropriate development within the green belt, and removal of land from the green belt (and its inclusion within the urban area) by definition makes the prospect of development more likely. However, where no allocation for development is proposed, I conclude that Policies BE 6A and BE 6B, and the associated designation of the line of the wall and its buffer zones on the proposals map, still provide significant protection.

### **Overall Conclusion**

- 3.21 The above conclusions are referred to in subsequent sections of my report where they are relevant to the objections being considered.

**4 GREEN BELT POLICY AND REVIEW AND THE DESIGNATION OF AREAS OF OPEN SPACE WITHIN THE URBAN AREA**

**Policies GB 1, R 1 and R 6; PIMs 8, 10, 11 and 13: Green Belt Policy and Review and the Designation of Areas of Open Space within the Urban Area**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTORS**

**Clydebelt  
Mr Sam Gibson**

**BACKGROUND**

- 4.1 Areas around the towns within West Dunbartonshire have been designated as green belt in the local plan, in respect of which Policy GB 1 applies a general presumption against development, other than specific types of development considered appropriate within a rural area that are excluded under 6 bullet points. Of these, the fourth bullet point refers to where there is a specific locational requirement for the development and it cannot be accommodated on an alternative site, and the sixth bullet point refers to development not adversely affecting the landscape character of the local area.
- 4.2 As part of the preparation of the finalised draft local plan, a green belt review has been undertaken on behalf of the council, and a number of sites have been removed from the green belt and designated as open space under Policy R 1 of the local plan, or included within the existing residential area covered by Policy H 5, which sets out criteria for safeguarding the character and amenity of such areas.
- 4.3 Policy R 1, as revised by PIM 96, presumes against development which adversely affects the use, character or amenity of such functional and valued areas of open space. Developments on existing recreation facilities (except sports pitches, which are not specifically relevant to these objections) or areas of open space will be considered against specific criteria, relating to the quality and value of the open space, the sufficiency of the same type of provision in the local plan area and whether comparable replacement facilities are proposed.
- 4.4 Policy R 6 encourages the provision of golf courses in principle, where they would not have a detrimental effect on landscape character and other interests. There is a presumption in favour of retaining ground currently in golf course use, and development proposals for golf courses will be considered against specific criteria set out in the policy.
- 4.5 These objections are to the terms of Policies GB 1 and R 6, the content and process of the green belt review undertaken on behalf of the council, and more specifically to several areas taken out of the green belt and designated as a part of the existing residential area of Clydebelt or as open space under Policy R 1. The specific areas of concern are sites, 5, 10, 11, 14 and 32 referred to in the green belt review, and these are as shown on map 1 below. There are also objections relating to the Dalmuir Wedge in Clydebelt which is dealt with separately in section 5 below. There is finally an objection to PIM 13 which

designates a site for a special needs care centre (public services opportunity PS 3(11) in Schedule PS 3) north of the A82 in Clydebank, as also shown on map 1 below.

### **SUMMARY OF CASE FOR OBJECTORS**

- 4.6 For **Clydebelt** it is submitted that the fourth bullet point of Policy GB 1 conflicts with paragraph 6 of SPP 21. This bullet point is far too wide ranging and does not highlight the nature of exceptions to allow for wide publicity and engagement. It is believed that the council means the point to refer to national priorities, rather than local priorities or those of particular developers. If that is the case, then the policy should be further modified to restrict it to such national priorities.
- 4.7 The sixth bullet point is not a kind of use and implies developments far more wide ranging than any specified in SPP 21. It should be incorporated into the last paragraph of Policy GB 1 as another condition of acceptability. Paragraph 3.14 should include in its first sentence that the key objectives of SPP 21 are for clarity and certainty, long term land use and avoidance of unmanaged and unplanned urban expansion. These objections have however been conditionally withdrawn subject to PIMs 8 and 11 referred to in paragraph 4.16 below.
- 4.8 It is submitted that Policy R 6 with regard to new golf courses in the green belt would be too sensitive and difficult to apply because it is not easy to balance different people's values of the countryside and such kinds of recreation. It is therefore considered that Policy R 6 should be deleted.
- 4.9 With respect to the review of the green belt undertaken on behalf of the council, it is submitted that the need to establish a robust and consistent boundary has sometimes led to the exclusion of potentially suitable areas from the green belt and their suggested reclassification as urban open space.
- 4.10 Green belt status provides much more protection than open space status, and there are only weak policy criteria to prevent open space being made available for built development. A change would follow pressure from developers or a review of need for open space. Green belt has a great deal of local plan, structure plan and national policy protection, and many tests are required to be considered if a council wishes to permit development.
- 4.11 The objector is not satisfied with the process by which the green belt was reviewed. It was carried out without public consultation and the conclusions have not been subjected to SEA. Only part of the green belt review has been made public, and only some of the consultants' recommendations were selected for the local plan.
- 4.12 With respect to specific sites taken out of the green belt and designated as open space or as part of the existing residential area, it is not agreed that site 11 is residential in character. The site meets green belt objectives and uses and should not be removed from the green belt. The removal of land at Wester Cochno Holdings, site 14, from the green belt would provide inadequate protection. The site at Mount Pleasant Drive, Old Kilpatrick, site 32, meets all three green belt objectives. Separation from the main green belt by a road is not an appropriate reason to remove it from the green belt.

- 4.13 With respect to PIM 13, the special needs care centre subject to PS 3(11) has outline planning permission, but it may not actually be developed, in which case it would be unnecessary and wrong to release the land from the green belt. Permission for the centre should remain as a permitted significant departure within the green belt.
- 4.14 For **Clydebelt and Mr Sam Gibson** with respect to site 5 it is submitted that the present boundary of the east sides of Lawmuir and Whitehill Crescents, the burn and the slope above gives a firm edge to the green belt. Moving the green belt back would not be an improvement. Any future development on the slope would be conspicuous and back out onto the green belt. Removal from the green belt would provide inadequate protection. Site 10 at Auchnacraig is part of the wildlife corridor and should be left to give sufficient width to fulfil this function. It also links to the green belt downstream. If removed from the green belt it would leave this latter area more vulnerable to losing its status as well. Site 10 provides very well defined boundaries to the existing green belt.

### COUNCIL RESPONSE

- 4.15 For **West Dunbartonshire Council** it is submitted that Policy GB 1 has been modified in accordance with PIM 10 to the extent that the fourth bullet point reads: “*where there is a specific locational requirement and established need for the development...*”. Policy GB 1 accords with SPP 21 in that the wording of the fourth bullet point allows for non-conforming uses to be developed within the green belt, as an exception to green belt policy. It is considered that failure to make policy provision for the allowance of uses not consistent with green belt designation, subject to the criteria set out in Policy GB 1, would be contrary to paragraph 26 of SPP 21.
- 4.16 Through PIM 11, the sixth bullet point will be deleted and the following text inserted at the beginning of the last paragraph: “*Development will not be permitted which would have an adverse effect on the landscape character of the local area*”. Through PIM 8, the following wording will be added to sentence 3.13: “*As the green belt boundary is intended to achieve long term certainty, it should have a timeframe of at least 20 years*”. Paragraph 3.14 accurately reflects the key objectives of green belt policy, as described in paragraph 6 of SPP 21.
- 4.17 Policy R 6 sets out the consideration the council would give to golf course proposals indicating that there should be no detrimental effect on landscape, heritage and nature conservation issues. The policy is in keeping with national and structure plan policy. The SEA indicates that Policy R 6 would not have an adverse impact on environmental issues. Research indicates that there is demand for golf courses in West Dunbartonshire, and having no policies to consider such proposals would be contrary to PAN 43.
- 4.18 Removal of sites from the green belt and designation as open space does not provide lesser protection from development. Green belt policy fulfils the function of protecting sites from development as part of a range of mechanisms that help manage the sustainable growth of urban areas by directing development to suitable locations. Open space and green networks are related mechanisms that seek to protect green space for a range of reasons including improving local communities, promoting healthier lifestyles and connecting and enhancing natural habitats. Taking account of SPP 21 and SPP 11, Policies GB 1 and R 1 both outline a presumption against the development of the green belt and open space respectively.

- 4.19 The green belt review is a technical appendix, forming part of the West Dunbartonshire Local Plan and therefore separate consultation and SEA is not necessary. The Ironside Farrar report “West Dunbartonshire Local Plan: Landscape Assessment of Green Belt” forms the finalised green belt review and supersedes previous work carried out by the forward planning section, incorporating previous drafts where relevant. All the recommendations made by Ironside Farrar have been incorporated into the local plan.
- 4.20 With respect to the site specific objections, site 11 comprises a dwelling with a number of outbuildings and paddocks. While relatively well screened by a hedgerow boundary, as a developed site in private ownership the site does not deliver the key objectives of green belt policy and its removal from the green belt is considered valid.
- 4.21 The wooded burn corridor to the north of site 14 is considered a more appropriate green belt boundary. Open space designation is a more appropriate designation for this site given the nature of the site and its use, and would not provide inadequate protection. The limited size and physical separation of site 32 lessens its effectiveness and value to the wider green belt. The A82 trunk road offers a strong, physical green belt boundary and is more appropriate than the garden fences which mark the southern boundary of this site.
- 4.22 Site 5 is assessed as having no physical boundary. Removal of the site from the green belt would create a stronger boundary marked by an area of natural land dominated by more mature vegetation. Designation as open space would not provide inadequate protection. Site 10 comprises a residential property with garden curtilage and yard area in use for vehicle storage and repair. The site is essentially urban in character and function and should be removed from the green belt as it is no longer compatible with green belt objectives. Paragraph 9 of SPP 21 advises that green belt policy is not a designation to protect natural heritage.
- 4.23 The site at the Boulevard, north of the A82 in Clydebank has outline planning permission for the proposed use, being a special needs care centre, and should thus be identified by the local plan as a public services opportunity within Schedule PS 3.

### CONCLUSIONS

#### Policy GB 1

- 4.24 With respect to the text of Policy GB 1, I note that the council intends to modify the fourth bullet point by including the phrase “and an established need”, which strengthens the requirements a proposal must satisfy in order to comply with this criterion. I agree with the council that it is appropriate to include this additional phrase. However, I note that this does not satisfy the objector in relation to this criterion.
- 4.25 Paragraph 6 of SPP 21 sets out the key objectives of green belt policy, and the final sentence states that there will be a strong presumption against inappropriate development. Essentially, I find that the purpose of the 6 bullet points listed in Policy GB 1 is to define development that would be considered appropriate in the context of SPP 21.
- 4.26 I do not think that the council intends the fourth bullet point only to refer to national priorities; indeed I think that most exceptions that may be justified against this bullet point are likely to be based on local rather than national priorities. The key test is whether

or not a proposed development has an established need coupled with a locational requirement to be in the green belt. The onus is on the developer to demonstrate this need and requirement, and the council would therefore have to be satisfied that the proposal could not take place within an urban area. In this context I do not consider that the bullet point is too wide ranging; significant control would be clearly retained by the council.

- 4.27 Paragraph 26 of SPP 21 in fact states that a proposed use not normally consistent with green belt designation may exceptionally still be considered appropriate either as a national priority or to meet an established need and only if no other suitable sites is available. The paragraph also states that such exceptions should be highlighted in the development plan to allow for wide publicity and engagement. I therefore find that the fourth bullet point, as amended by PIM 10, accords with the provisions of both paragraphs 6 and 26 of SPP 21, and does not require to be further modified.
- 4.28 Turning to the sixth bullet point, I note that PIM 11 deletes this and adds the text instead to the last paragraph of Policy GB 1. I find that this is more logical given the respective purpose of the bullet points and the last paragraph. PIM 8 adds a sentence to paragraph 3.13 to define the timeframe of the green belt boundary in the context of paragraph 16 of SPP 21. I note that PIM 32 then adds the same text to paragraph 3.14, but I assume that it is the council's intention to only include the text either in paragraph 3.13 or paragraph 3.14. It would probably be more logical in paragraph 3.14 given that is the paragraph which relates to SPP 21. I agree with the council that paragraph 3.14 accurately reflects the key objectives of the green belt as stated in paragraph 6 of SPP 21.
- 4.29 However, and notwithstanding the objection on behalf of Clydebelt on this matter, I am concerned about the proposed addition to paragraph 3.14, which (whereas there is good reason for referring to the objectives in paragraph 6 of SPP 21) would simply be extracting an element of national planning policy, and possibly out of context. I refer in this respect to my finding in paragraph 3.13 of section 3 above, where it is clear that whilst I am accepting the green belt boundary being drawn tightly around the urban area in this local plan, this does not in fact reflect this element of national policy.
- 4.30 I therefore find that it would be better not to include this sentence because, although it is an accurate reference from SPP 21, to include it could be misleading in circumstances where the green belt boundary is so tightly defined around the existing urban area, and does not at this point in time provide long term certainty of at least 20 years.

### **Policy R 6**

- 4.31 Paragraph 25 of PAN 43, which provides detailed guidance on golf courses, indicates that one of the purposes of green belts is to provide for recreation, and that they may in some circumstances be suitable locations for golf courses. In practice, golf courses may be within the urban area (in which case in relation to this local plan they would also be designated as open space under Policy R 1) or the countryside, depending on their location. There are evidently existing golf courses with the countryside within West Dunbartonshire.
- 4.32 Paragraph 22 of SPP 21 includes as one of the appropriate uses in the green belt: *“recreational uses that are compatible with an agricultural or natural setting”*. I find that golf courses would come under this category. Whilst I accept that such would usually

have a club facility and car park, there is no reason why such facilities cannot be designed in a manner that is compatible with the character of the green belt.

- 4.33 In addition, SPP 11 indicates that planning authorities should plan positively for sports and recreation facilities and opportunities. In relation to golf courses, I find that this necessarily includes countryside locations, and in the case of West Dunbartonshire, this would normally be green belt locations close to the existing urban area.
- 4.34 I therefore agree with the council that the inclusion of a policy for golf courses within the local plan is consistent with the provisions of SPP 21, SPP 11 and PAN 43. I find that it is therefore more appropriate to include such a policy rather than rely entirely on Policy GB 1. The latter would also of course apply to any proposals for a new or extended golf course in the green belt, which means that such proposals would necessarily accord with the requirement for new buildings and extensions to pay particular regard to design, siting, landscaping and other matters of concern within a green belt location. Even the design of the course itself would need to blend into the countryside setting, and thus avoid appearing too “managed and artificial” which is a stated concern of the objector.

### **The Content and Process of the Green Belt Review**

- 4.35 I firstly refer to my findings in relation to the Dalmuir Wedge in section 5 below, and in particular paragraph 5.19 where I find that Policy R 1 represents a lower level of protection within the overall hierarchy of policies than the protection afforded by green belt policy. However, I also find in paragraph 5.20 that it is more important to assess the characteristics of the area than the strength of the presumption against development, in order to judge which policy is more relevant. I consider these findings hold true for the objection relating to the green belt review being considered here.
- 4.36 I refer to my conclusion in paragraph 3.15 of section 3 above that the only basis for the removal of land from the green belt in this local plan is where such land no longer meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development. In the context of the objection on this matter on behalf of Clydebelt, removal of land from the green belt generally means where such land is green belt in the existing adopted local plan, rather than the current finalised draft plan.
- 4.37 There is no issue of potential development on the sites being considered within the green belt review; it is either a question of including the sites in the green belt and therefore the countryside, or including them as open space within the urban area under Policy R 1, or as part of the existing residential area. For each of the sites being considered by the consultants in the green belt review, an assessment is made as to whether or not the sites meet the objectives of the green belt, and contain uses appropriate to the green belt. This assessment should form the corner stone of the decision to either include each site in the green belt, or in the urban area.
- 4.38 On this matter I have some sympathy with the views expressed on behalf of Clydebelt, because there are indeed some instances where sites appear to have been assessed as contributing to the objectives of the green belt and as having suitable green belt uses, and then have been recommended for exclusion from the green belt. The Dalmuir Wedge is a

case in point, and where I recommend that the majority of the area should actually be included within the green belt. However, this is possibly where the issue of a “robust and consistent” green belt boundary, which may in fact be very relevant for example to the continued contribution of a site to the objectives of the green belt, has also come into play. The examination of the sites in the Dalmuir Wedge may illustrate this.

- 4.39 I also note the reference on behalf of the objector to site 17 at Wester Duntiglen Farm, which does not appear to be a valid site specific objection because it was not included as far as I can see in the original objection letter. In any event, the green belt review gives a reason for excluding this site from the green belt; it is considered to be in use as urban open space and is surrounded on 3 sides by housing. It may be that this area is not intended to be part of the overall area which meets green belt objectives.
- 4.40 In any event, it is clear that the report on behalf of the council by Ironside Farrar assesses all of the sites considered in terms of their contribution to green belt objectives and whether or not their use is appropriate to the green belt. It also considers the suitability of the inner green belt boundaries, the condition, value (including landscape value) and sensitivity of the sites, the nature of neighbouring areas and any other matters considered relevant to the particular sites.
- 4.41 The recommendations to the council have to balance all of these matters. The council then has to consider these recommendations, as indeed do I where there are objections to specific sites. My conclusions, for example, differ from those of the consultants in relation to the Dalmuir Wedge.
- 4.42 It is also clear to me that (although I do not think it is part of the statutory local plan) the consultants’ report is informed by, but supersedes, the earlier work undertaken by council staff in reviewing the green belt. However, the consultants’ report is a professional survey and appraisal of sites, and I do not accept that the recommendations are in any way influenced by the council’s opinions. Given my conclusion in paragraph 3.15 of section 3 above, there is no reason why the report should necessarily consider additions to the green belt, and I find that the SEA has considered the implications of removing sites from the green belt and including them within the urban area.
- 4.43 I therefore find that there is no evidence to support a conclusion that the green belt review, either in terms of its content or process, justifies any modification to the local plan. In making this finding, I accept of course that my assessment of individual sites may result in modifications relating to specific sites.

### **Specific Sites considered in the Green Belt Review**

- 4.44 I consider the sites of concern to the objectors in numerical order, and the order in which they are considered within the green belt review. Sites 5 and 10 are referred to in the green belt review as Auchnacraig, but are in fact at opposite ends of the area being considered. Site 5 is an area of mown grassland to the east of housing on Lawmuir and Whitehill Crescents. I agree with the assessment in the green belt review to some extent that this is managed amenity space and does not have a well defined boundary.
- 4.45 However, it contributes to green belt objectives, particularly in that it is part of the landscape setting of the eastern urban edge. In addition, the management of the area

appears minimal and although there are old goal posts on the site, they do not appear to be in use. This is a borderline case, but on balance I find that the urban boundary should probably be along the edge of the small amenity strip to the west of site 5, rather than include site 5 itself.

- 4.46 Site 10 lies to the immediate west of the Cochno Burn, and south of the new housing that has been built to the east of Cochno Road. The council has included the area within the existing residential area rather than as open space under Policy R 1. However, although at least part of the site is related to a residential curtilage and storage sheds, and should probably be included within the existing residential area, part of the site also appears to contain a substantial band of mature trees and constitutes the west bank of the small valley containing the Cochno Burn.
- 4.47 The actual boundary should probably be verified by a more detailed survey on the ground, as pedestrian access into the eastern part of this area is quite difficult, but I find that part of the site should be included within the green belt, approximately as shown on map 1 below, thus giving a more substantial width to the Cochno Burn corridor that extends down to Auchinleck Road. This is related to an objection considered in section 8 below, and it is important that both areas are treated consistently in terms of their contribution to the green belt.
- 4.48 Site 11 lies to the north of the new housing on the east side of Cochno Road. I agree with the council that it constitutes the curtilage of an existing dwelling. Although it is the type of housing that might be found in the countryside, I find on balance (taking into account the fairly substantial hedge to the north of the site) that it should be part of the existing residential area given its proximity to the new housing.
- 4.49 Site 14 lies to the north of housing at Craighirst Avenue and Heather Avenue, at the northern edge of Duntocher. I agree with the assessment in the green belt review that this is managed amenity space, and furthermore the burn provides a much stronger edge to the green belt than the rear curtilages of existing dwellings. I find that this area should be included as open space under Policy R 1.
- 4.50 Site 32 is an area of rough overgrown grassland between existing housing on Mount Pleasant Drive and the A82. This is another borderline case, although I accept the assessment in the green belt review that it may be more appropriately excluded from the green belt and managed as urban green space. In addition, the site is a relatively small site isolated from the remainder of the green belt. I therefore find on balance that it should be included as open space within the urban area under Policy R 1.

### **Public Services Opportunity North of A82 Clydebank**

- 4.51 I note the grounds of the objection on behalf of Clydebelt in relation to this site. However, I find that the council is correct to include public services opportunity PS 3(11) in Schedule PS 3, and with the specified use being a special needs care centre. It would in my view be misleading not to include this site now that outline planning permission has been granted for this public service facility.
- 4.52 Notwithstanding the above, I also find that the development of the site should in addition be regarded as a non-conforming use in the green belt, and I refer to my finding on this

matter in paragraph 6.15 of section 6 below, where the objection site is part of a larger objection site being considered in that section. This would ensure that when detailed proposals for the site are considered, the layout and design of the development reflect its rural setting. I find that this would meet the terms of the objection on behalf of Clydebelt.

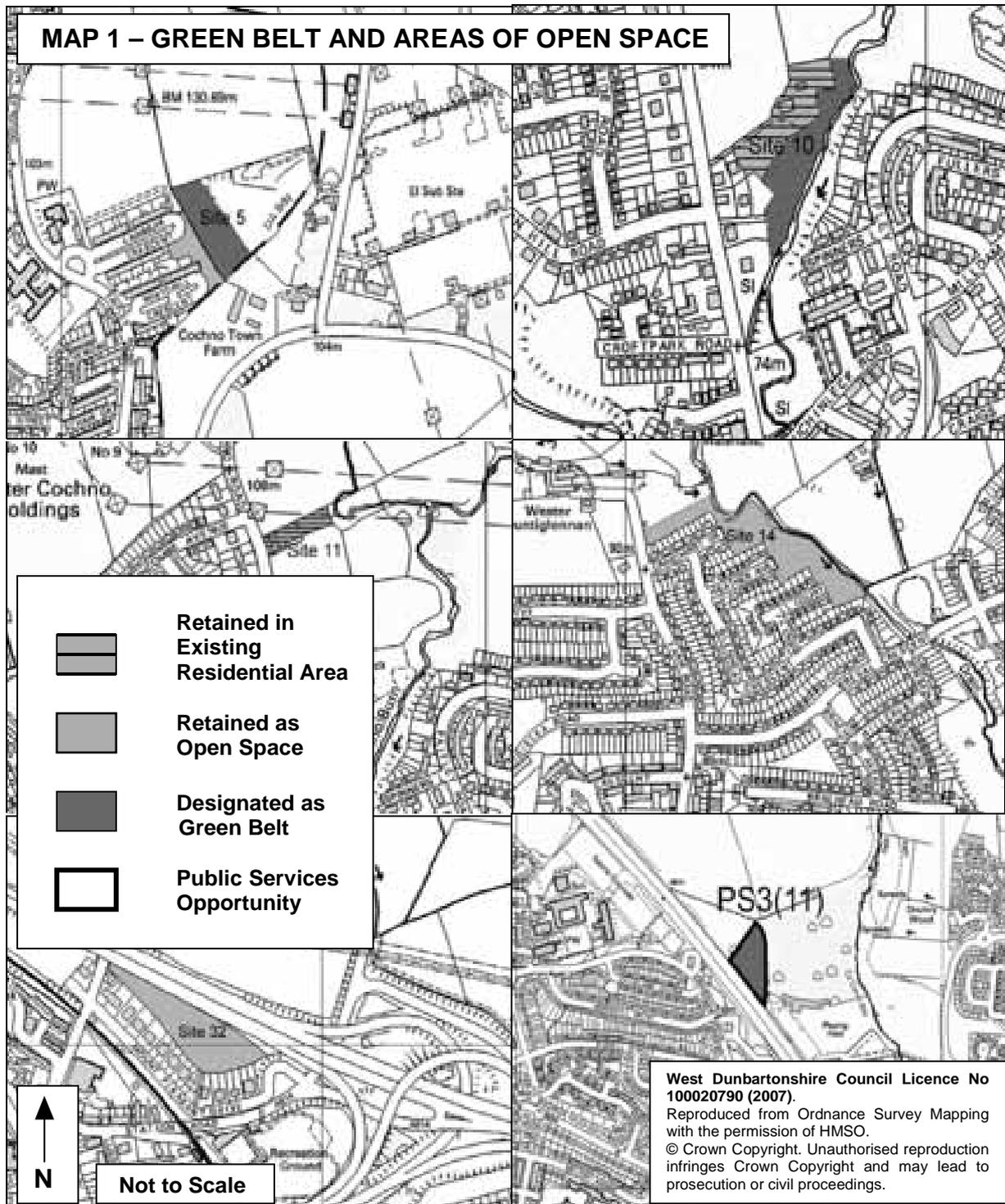
### **Overall Conclusions**

- 4.53 In overall terms, I conclude that the fourth bullet point of Policy GB 1 should be modified in accordance with PIM 10, but that it does not require to be further modified in terms of the objection lodged. I conclude that the sixth bullet point of Policy GB 1 should be deleted, and that the text should instead be incorporated into the last paragraph of Policy GB 1 in accordance with PIM 11. However, I also conclude that the additional text proposed through PIM 8 should not be included, because the existing green belt boundary is likely to be subject to a further detailed review following a strategic view of the green belt in the forthcoming strategic development plan for the area.
- 4.54 I conclude that Policy R 6 is consistent with the terms of SPP 21, SPP11 and PAN 43 and that it should be retained in the local plan. Furthermore, I conclude that there is no evidence to suggest that the green belt review, either in terms of its content or process, and apart from the separate consideration of site specific objections, justifies any modification to the local plan.
- 4.55 With respect to the site specific objections, I conclude that site 5 should be designated partly as green belt and partly as open space under Policy R 1 of the local plan. Site 10 should be designated partly as green belt with the remainder of the site being part of the existing residential area. Site 11 should be retained as part of the existing residential area. Sites 14 and 32 should be retained as open space under Policy R 1 of the local plan.
- 4.56 I conclude that the council is correct to include the site north of the A82 in Clydebank in Schedule PS 3 as public services opportunity PS 3(11), for a special needs care centre, but that the site should also be designated green belt under Policy GB 1.

### **RECOMMENDATIONS**

- 4.57 The fourth bullet point of Policy GB 1 should be modified in accordance with PIM 10.**
- 4.58 The sixth bullet point of Policy GB 1 should be deleted and the text incorporated into the last paragraph in accordance with PIM 11.**
- 4.59 The proposed text to be incorporated into paragraph 3.14 through PIMs 8 and 32 should not be included, and paragraph 3.14 should not be modified in this respect.**
- 4.60 There should be no modification to the local plan (apart from in relation to the site specific objections referred to in paragraph 4.61 below) with respect to these objections resulting from either the content or the process of the green belt review.**
- 4.61 Sites 5, 10, 11, 14 and 32 should be included either as green belt, open space or as part of the existing residential area on the proposals map as shown on map 1 below.**

4.62 The site north of the A82 should be included in Schedule PS 3 as public services opportunity PS 3(11) for a special needs care centre, in accordance with PIM 13, but the site should also be designated green belt under Policy GB 1.



**5 OPEN SPACE AT THE DALMUIR WEDGE, CLYDEBANK**

**Policies GB 1, R 1 and other policies; PIMs 35 and 103: Open Space at the Dalmuir Wedge, Clydebank**

**OBJECTORS AT HEARING**

**For Parkhall, North Kilbowie and Central Community Council:**

**Mr Gilbert Howatson**

**Mr James Paisley**

(Also representing themselves as individual objectors)

**For Clydebank Local History Society:**

**Mr Sam Gibson**

(Also representing himself as an individual objector)

**Mr Stuart Divers**

**Mr Des McNulty MSP**

**WEST DUNBARTONSHIRE COUNCIL**

**For West Dunbartonshire Council:**

**Mr Alasdair Gregor, Planning Services Manager, WDC**

**Mr Alistair Gemmell, Planning Officer, WDC**

**Ms Moira Clark, Planning Officer, WDC**

**WRITTEN SUBMISSIONS**

**Clydebelt**

**Dalmuir Park Housing Association**

**25 local resident objectors listed in Appendix 4**

**2,068 local resident objectors having submitted standard letters of objection**

**BACKGROUND AND SITE DESCRIPTION**

**Local Plan Policy Context**

- 5.1 Areas of countryside adjacent to the urban area of Clydebank are designated as green belt under Policy GB 1, which is included in the local plan as a key policy and applies a general presumption against development in such areas, other than development considered appropriate within a rural area, or where additional land for development is necessary having regard to the provisions of the GCVSP, and where such development does not adversely affect the landscape character of the local area.
- 5.2 Areas of functional and valued open space (this includes both active and passive open space) within the urban area of Clydebank are designated as such under Policy R 1 of the local plan (as revised by PIM 96), which presumes against development adversely affecting the use, character or amenity of such functional and valued areas of open space. Developments on existing recreation facilities (except sports pitches, which are not part

of the open space in the Dalmuir Wedge) or areas of open space will be considered against specific criteria, relating to the quality and value of the open space, the sufficiency of the same type of provision in the local plan area and whether comparable replacement facilities are proposed.

- 5.3 In addition to the above, some areas of parkland/woodland within the urban area are designated under Policy E 7 of the local plan, which presumes in favour of the retention of such areas, particularly those designated as such on the proposals map. TPOs are designated within the urban area under Policy E 4. Sites of local nature conservation value are designated under Policy E 3A where they occur either within the urban area or in the countryside. Existing public services are protected under Policy PS 1, and opportunities for the development of public services are encouraged under Policy PS 3 and listed in Schedule PS 3. Opportunities for private housing under Policy H 1 are listed for the Clydebank area within Schedule H 2.

### **Description of the Dalmuir Wedge**

- 5.4 The Dalmuir Wedge covers the area shown on map 2 below, and the majority of the area comprises a public park to the south and a golf course to the north. It is surrounded to the east, south and west, and partly to the north by urban development, and a small area containing multi-storey flats projects into the wedge from the west at the point where the public park and golf course adjoin each other. Part of the northern boundary is adjacent to designated green belt to the north across the A82.
- 5.5 In the north west corner of the wedge there are existing public service facilities in the form of schools and the Auchentoshan Occupational Centre, which also includes a few existing houses. There are also isolated houses at the junction of Mountblow Road and the access road to these public service facilities and along the northern boundary. There is a small area of parkland to the south of the schools and north of the golf course.
- 5.6 There is substantial woodland within the Dalmuir Wedge, and particularly in the northern part of the site. Whilst there are open views from the existing housing areas (particularly to the south and east) across the undulating golf course area to the countryside north of Clydebank, there is extensive mature tree screening along the northern boundary with the A82, and along the western boundary with Mountblow Road.

### **Local Plan Designations affecting Specific Parts of the Dalmuir Wedge**

- 5.7 The Dalmuir Wedge is mostly identified as open space under Policy R 1, although a small part of the northern area is designated as woodland and parkland retention under Policy E 7. In addition the schools and occupational centre in north western corner of the wedge are designated as existing public services under Policy PS 1. The woodland in the northern area is mostly protected by a TPO under Policy E 4. A significant portion of the whole area is designated as a local nature conservation site under Policy E 3A.
- 5.8 The objectors consider that the area should be retained as green belt under Policy GB 1 (which is its designation in the existing adopted local plan) rather than being designated as open space, woodland/parkland or for public services in the local plan. For the avoidance of any confusion, however, within my conclusions below the terms retain or remain are generally used in relation to what is included in the finalised draft local plan.

- 5.9 Furthermore, there are specific objections to public services opportunity PS 3(7) in the north western part of the Dalmuir Wedge, amended through PIM 103, and housing opportunity H 2(12) at the Auchentoshan Occupational Centre, deleted through PIM 35. Some of these objections have been conditionally withdrawn following the council's pre-inquiry modifications. Nevertheless, consideration requires to be given as to whether or not these new development designations should remain.
- 5.10 However, the key determining issue in overall terms is whether the area should be designated as green belt under Policy GB 1, or remain within the urban area as a combination of open space under Policy R 1, woodland and parkland retention under Policy E 7, and public services under Policy PS 1.

### SUMMARY OF CASE FOR OBJECTORS

- 5.11 For **the objectors** it is submitted that all of the Dalmuir Park, Dalmuir Golf Course, Auchentoshan Woods and Parkland, and land surrounding the West and North Lodge should be designated as green belt. The rezoning of Auchentoshan Parkland to a public services opportunity and housing on the site of the present Auchentoshan Occupational Centre should be deleted. Only renewal on present sites should be allowed. The estate has sufficient ground already developed and should remain in the green belt. Policies encourage green and wildlife corridors through the urban area, contributing to the biodiversity and conservation or regeneration of landscapes, and this area is clearly part of the wildlife corridor/green network.
- 5.12 The structure plan, which requires local plans to safeguard the green belt, provides for adjustments to the green belt boundary only if meeting the requirements of Strategic Policies 1, 3, 5, and 6, or if an equivalent area of brown field land is restored for green belt purposes. None of these conditions apply. The objectors disagree with the council that the Dalmuir Wedge does not have appropriate green belt uses or that separation from the main green belt by a road is an appropriate reason to remove the land from the green belt. The wedge is almost all contained within a road and rail boundary and it is therefore not accepted that the area "has no strong consistent boundary".
- 5.13 All elements of the Dalmuir Wedge contribute to SPP 21 objectives and functions, and the removal of the existing green belt status in the adopted local plan would also remove the protection it has at the present and lead to undesirable development. The objectors consider that the area would have much stronger protection as green belt; there being only weak policy criteria to prevent open space being made available for development.

### COUNCIL RESPONSE

- 5.14 For **West Dunbartonshire Council** it is submitted that the golf course and park are identified as open space within the local plan, which has comparable protection to green belt. It is not accepted that green belt provides stronger protection. Open space policy is a related mechanism that seeks to protect green space for a range of reasons including improvement for local communities, promoting healthier lifestyles and connecting and enhancing natural habitats. In accordance with SPP 21 and SPP 11, Policy GB 1 and Policy R 1 both outline a presumption against the development of green belt and open space respectively.

- 5.15 A number of sites within the Dalmuir Wedge do not help deliver the objectives of green belt policy. This compromises the green belt function and cohesiveness of the entire wedge and lessens its connectivity with the wider green belt, already made physically separate by the A82. Removing the Dalmuir Wedge from the green belt allows for the creation of a more robust and enduring green belt boundary, defined principally by the A82. Designating Dalmuir Park and Dalmuir Golf Course as open space more accurately reflects the function of these areas, considered in the context of SPP 11 and PAN 65 and provides for the protection and enhancement of these resources. Open space policy also achieves aims consistent with the objectives of green belt policy.
- 5.16 Removing sites from the green belt and identifying them as open space will not change the protection given to the Glasgow and Clyde Valley Green Network or local biodiversity interests, which are specifically protected by policies within the development plan. The proposed housing opportunity site at Auchentoshan will be deleted from the Schedule H 2 and the proposals map, and the public services opportunity site will be modified to reflect the outline planning permission for a replacement adult training centre and children's cerebral palsy therapy centre (PIMs 35 and 103).

## CONCLUSIONS

### General Policy Context

- 5.17 Policy GB 1 is a key policy within the local plan, and rightly so because it defines the status given to all land (with the exception of areas designated as wider countryside) that is not within the urban area of the local plan, and which is thus designated as green belt. The first 2 objectives of the green belt referred to in paragraph 6 of SPP 21 are to direct planned growth to the most appropriate locations and to protect the landscape setting and identity of towns. These objectives are crucial in defining the countryside from the built up area, and as a result I find in general terms that green belt policy has a stronger emphasis in its presumption against new development than any policies relating to development within the built up area. However, because the majority of the Dalmuir Wedge is designated as open space under Policy R 1, I examine this in more detail below.
- 5.18 Policy R 1 also contains a presumption against development, because functional and valued open space (whether it is for active recreational use or constitutes passive open space) is important for recreation and cumulatively for the creation of a green network of open spaces throughout the urban area of the local plan, in the context of paragraph 18 of SPP 11. In this respect I find that the objective of SPP 11 to protect and enhance open space overlaps with the third objective of SPP 21, which is to give access to open space within and around towns, as part of the wider structure of green space. I also accept that Policy GN 1 protects the green network, including open space within urban area.
- 5.19 Nevertheless, consistent with my finding in paragraph 5.17 above, whilst it is important to protect open space within towns from inappropriate development, I also find that Policy R 1 represents a lower level of protection within the overall hierarchy of policies than the protection afforded by green belt policy. In making this finding I take into account the revised text of the policy as introduced through PIM 96. I therefore sympathise with the concerns expressed on behalf of objectors about weakening the policy framework that gives protection from development within the Dalmuir Wedge.

- 5.20 Notwithstanding the above, when assessing whether or not the Dalmuir Wedge should be designated as green belt, or retained as open space (possibly in conjunction with other uses) within the urban area under Policy R 1, I consider that it is more important to assess the characteristics of the area than the strength of the presumption against development. If the area is designated appropriately in accordance with its characteristics, then the strength of the presumption against development would also be appropriate.
- 5.21 The status quo of the Dalmuir Wedge is green belt because it is so designated in the existing adopted local plan. In this context, I refer to paragraph 3.15 in section 3 above where I conclude that the only basis for the removal of land from the green belt in the current finalised draft local plan is where such land no longer meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development.
- 5.22 Apart from the specific development opportunities within the north western part of the Dalmuir Wedge at Auchentoshan (considered commencing in paragraph 5.40 below) which are too small on their own to constitute development justifying the removal of the land in the Dalmuir Wedge from the green belt, there are no proposals for development within the Dalmuir Wedge identified in the local plan or on the proposals map.
- 5.23 As a result, there is no basis to remove the land from the green belt in order to allow development to take place, and the assessment of the remaining factors requires consideration of the character and function of the Dalmuir Wedge in the context of the green belt review undertaken on behalf of the council. I now go on to consider this matter in detail.

### **Character and Function of the Dalmuir Wedge**

#### The Character of the Dalmuir Wedge

- 5.24 The Dalmuir Wedge is referred to in the green belt review as sites 22 to 28. I agree with the description of the area contained within the green belt review. I also agree that there are essentially 3 character areas, these being the Dalmuir Park which is a formal landscape typical within a traditional urban park (site 28), the golf course occupying land on either side of the valley formed by the Duntocher Burn (site 27) and the attractive mature woodlands in the northern part of the wedge (site 22). I also accept that the A82 and the mature tree belt along the northern boundary of the wedge constitute a physical barrier to the remainder of the green belt to the north to some extent.
- 5.25 However, I am not convinced that the Dalmuir Wedge is isolated from the remainder of the green belt, as stated in the conclusions in the green belt review. From the higher parts of the golf course in the eastern part of the wedge, and from the housing areas to the east of the wedge, the overall impression of the wedge is that it extends into the countryside to the north of Clydebank. In many vistas, the area of housing to the north of the A82 is screened from view by the mature woodland, thus emphasising this visual connection.
- 5.26 In any event, I note that the conclusions of the green belt review acknowledge that the golf course (site 27), which is the largest site within the wedge, meets all 3 of the green belt objectives contained in paragraph 6 of SPP 21. In particular, however, and for the

reason set out in paragraph 5.25 above, I find that this site is an important part of the landscape setting of the urban area of Clydebank.

- 5.27 The visual link between this site and the countryside to the north of the A82 is in my view more important than the physical barrier (caused by the A82 and mature tree belt along the northern boundary) between the Dalmuir Wedge and the remainder of the green belt to the north. Even though I accept that the latter is an obstacle in providing direct access from the Dalmuir Wedge to the wider countryside, it is relatively easy to cross the A82 on the Mountblow Flyover, and access the footpaths extending into the wider countryside to the north of the A82.
- 5.28 The woodland (site 22) to the north of the golf course is a significant landscape feature in the views from the eastern urban edge over the golf course to the countryside beyond, and therefore this site is by definition also an important part of the landscape setting of the urban area of Clydebank. Site 24 is a relatively small area of parkland which is related to the schools to the north; nevertheless I find that this site is essentially of a similar character to the golf course and therefore also contributes to the landscape setting of the surrounding urban area. As the green belt review acknowledges, this site also meets all 3 of the green belt objectives in paragraph 6 of SPP 21.
- 5.29 Turning to the Dalmuir Park (site 28), I accept that this site has a role in providing access to open space within and around towns, as it is linked to the remainder of the Dalmuir Wedge. It may also have a role in directing planned growth to appropriate locations. However, I am not entirely convinced that this site is as significant as the previously mentioned sites in protecting and enhancing the character or the landscape setting of the surrounding urban area. It may be argued that it protects and enhances the character because it is an attractive planned open space within the built up area.
- 5.30 However, whilst there are views of the golf course and countryside beyond from the higher parts of the park, and of course from its boundary with the golf course, the site generally has the impression of being an attractive planned open space within the urban area; from within and from the edge of the park there are prominent views of the built up area, and the surrounding multi-storey flats are a significant feature in these views. I therefore find that this site is less important than the previously mentioned sites in contributing to the landscape setting of the surrounding urban area.
- 5.31 I agree with the conclusions of the green belt review that the remaining sites (23, 25 and 26) do not meet the objectives of the green belt as stated in paragraph 6 of SPP 21; however, these sites form a relatively small proportion of the area of the Dalmuir Wedge, and furthermore the buildings within these areas are generally screened by the mature woodland. These areas are small and inconspicuous enough that they could be included as non-conforming uses within the green belt.

### The Function of the Dalmuir Wedge

- 5.32 I agree with the conclusions of the green belt review that the golf course (site 27) and the woodland (site 22) contain uses that are appropriate within a green belt. Golf courses generally require extensive use of land, and may be in the green belt or within the urban area, depending on the particular circumstances. In this case, I agree that the golf course is an appropriate use for the green belt. The small area to the north west of the golf course

(site 24) appears to be a passive informal landscaped open space (although there are old goal posts on the site), which I accept is related to the schools to the north, but is not incompatible with a green belt location.

- 5.33 However, I entirely accept that the remaining areas (sites 23, 25, 26 and 28) do not contain appropriate green belt uses. In this respect, and in the context of my conclusion in paragraph 3.15 of section 3 above, there is a clear case for removing the Dalmuir Park (site 28) from the green belt. However, the case is not so clear in respect of sites 23, 25 and 26, because these are relatively small areas within larger areas that do contain appropriate green belt uses, which emphasises my finding in paragraph 5.31 above that they could be included as non-conforming uses within the green belt.

### **Alternative Options for the Dalmuir Wedge in the Local Plan**

- 5.34 The objectors all seek the designation of the whole of the Dalmuir Wedge as green belt, and theretofore in the event that it is included within the urban area, I have no evidence before me to suggest that the specific designations under policies R 1, E 3A, E 4, E 7 and PS 1 should not be maintained. Policy R 1 would clearly be necessary in relation to the Dalmuir Park and Golf Course, and although I acknowledge evidence on behalf of the council at the hearing that the area subject to Policy E 7 could equally be protected as open space under Policy R 1, on balance, I find that the remainder of the designations would still be appropriate.
- 5.35 However, if the area is included as green belt, it is necessary to consider which of the other designations might also be appropriate. It is of course clear that the designation under Policy R 1 would no longer be required. Furthermore, although the designation under Policy E 7 could possibly be maintained, I am aware of no other instances of such a designation within the rural areas of the local plan, and on balance I find that this would no longer be necessary because of the protection afforded to the green belt under Policy GB 1. Policy E 4 relates to TPOs, but trees subject to a TPO are statutorily protected and I find that there would be no need to show these in the green belt.
- 5.36 Local nature conservation sites under Policy E 3A are shown on the proposals map within both the rural area and the urban area of the local plan. The protection given to these sites is the same whether they are in the rural or the urban area, and I therefore find that the local nature conservation sites in the Dalmuir Wedge should continue to be designated under Policy E 3A and shown on the proposals map, whether or not the area is designated as green belt. Also, public services have specific protection under Policy PS 1, and if the area of the school and occupational centre is included as green belt, I find that these uses should also be designated under Policy PS 1 as non-conforming uses in the green belt.
- 5.37 At the hearing, evidence was given on behalf of the council that the whole of the Dalmuir Wedge should be treated as a single area, in terms of whether or not it should be included within the green belt. Either the whole of it should be designated as green belt, or the whole of it should be included within the urban area.
- 5.38 I do not consider that this should necessarily be the case. I agree that if the golf course and woodland area (sites 27 and 22 respectively) are included within the green belt, then it would be necessary to also include sites 23, 24, 25 and 26. I consider that site 24 would

in its present form be compatible with a green belt designation, but that the remaining sites would have to be treated as non-conforming uses within the green belt.

- 5.39 However, Dalmuir Park is a significant enough area that this could be treated differently, and could be maintained within the urban area under Policy R 1 even if the remainder of the Dalmuir Wedge is designated as green belt. There is no requirement to have a defensible urban boundary between the golf course and the park. There would effectively be a less rigid transition from green belt to urban open space, which would be quite acceptable in the circumstances, because there should be no significant pressure for new development within the Dalmuir Park. Nor should there be any associated argument to extend the urban boundary in the future.

### **Development Opportunities identified in the Local Plan at Auchentoshan**

- 5.40 Following the refusal of outline planning permission on appeal for housing development at the Auchentoshan Occupational Centre, the council has deleted housing site H 2(12) from Schedule H 2 through PIM 35. I am satisfied that this is an appropriate planning response and meets the terms of the objections related to this matter.
- 5.41 However, following the grant of outline planning permission for new public service facilities, the public services opportunity site PS 3(7) has been retained. PIM 103 amends the site to accord with that which has been granted outline planning permission. This is also an appropriate planning response in the circumstances, and the retention of the site within the green belt would of course strengthen the council's position in ensuring an appropriately designed scheme for the site.

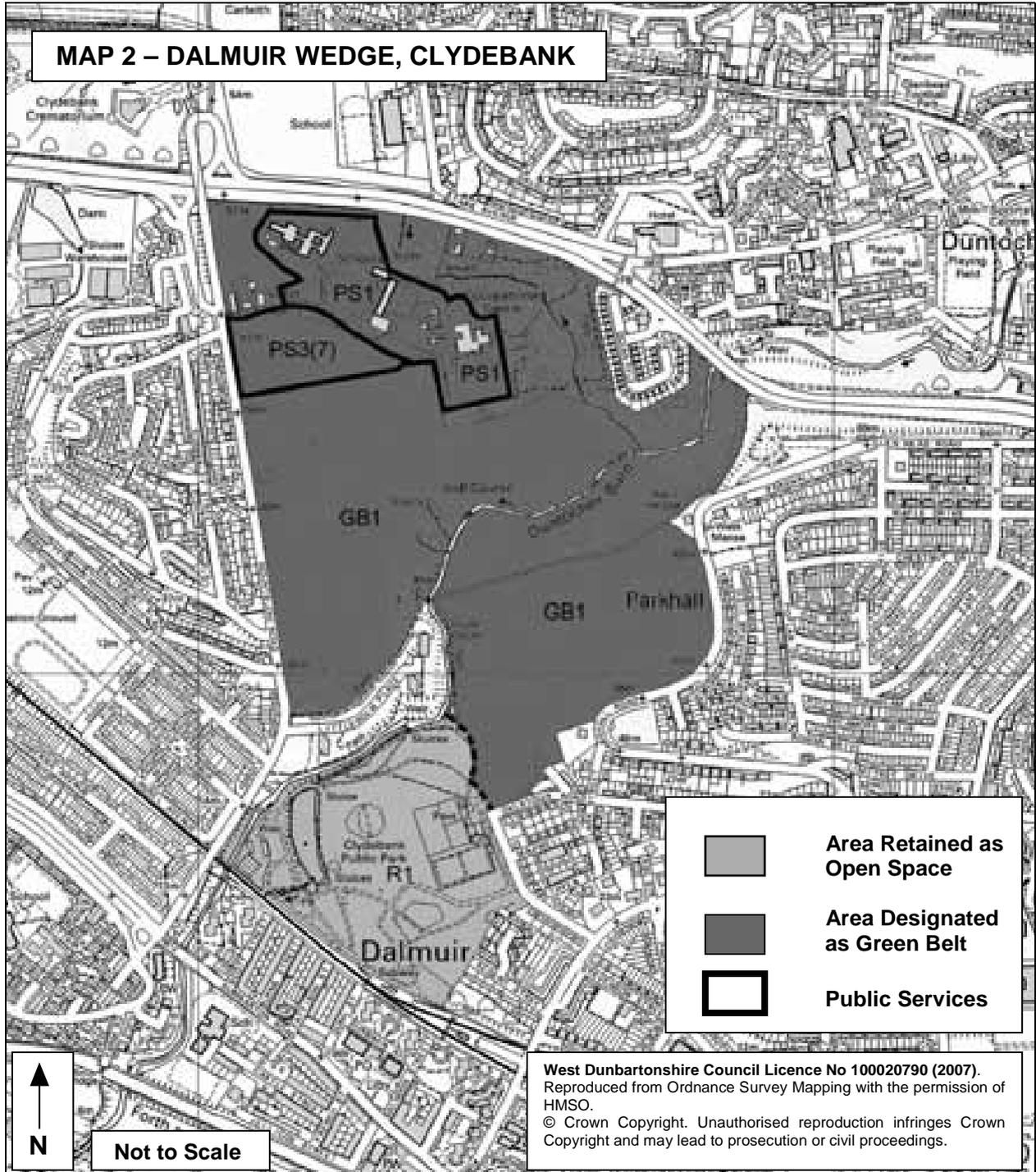
### **Overall Conclusions and Favoured Outcome**

- 5.42 The conclusions in the green belt review are that the Dalmuir Golf Course (site 27) and the woodland (site 22) both meet the objectives of the green belt and contain appropriate green belt uses. I agree with these conclusions. However, I find that too much importance is given to both the A82 as a physical boundary and the separation from the green belt to the north of the A82 caused by the non-conforming uses in the north western corner of the wedge. There is also no requirement to reinforce the robustness of the green belt boundaries at this location, because existing boundaries, whilst perhaps not being as strong as the A82 would be, are entirely defensible. I also refer to my findings in paragraphs 5.26 and 5.28 above that these areas are an important part of the landscape setting of the surrounding urban area. From the evidence available to me, and in the context of my conclusion in paragraph 3.15 of section 3 above, I conclude that the combined area of the Dalmuir Golf Course (site 27) and the woodland (site 22) should be designated as green belt.
- 5.43 Site 24 fits quite well into the framework provided by sites 27 and 22 referred to above, although I accept that public services opportunity PS 3(7) would result in new development within this area. I acknowledge that sites 23, 25 and 26 are non-conforming uses. I note that sites 23 and 26 are in any event simply part of the designation of existing residential areas under Policy H 5, which I have not referred to above because I believe that there is no consequence from this should these areas be included within the green belt. There are many instances of isolated dwellings in the green belt, and there would be no basis to retain the designation under Policy H 5.

- 5.44 However, within site 25 the schools and occupational centre, and existing houses within the latter, are more significant non-conforming uses, and these should remain designated under Policy PS 1 even if they are included within the green belt. In addition public services opportunity PS 3(7) should remain designated on site 24 as amended by PIM 103. I conclude on balance that the whole of sites 23, 24, 25 and 26 should be designated as green belt, but that the public service areas should also remain designated under Policies PS 1 and PS 3 as appropriate.
- 5.45 The Dalmuir Park (site 28) quite clearly does not have an appropriate green belt use, and it makes a limited contribution to the character and landscape setting of the surrounding urban area. If the council were to maintain its position that the whole of the Dalmuir Wedge should be treated as a single area, then the importance of including the northern part of the Dalmuir Wedge within the green belt should take priority, and in this case the Dalmuir Park should also be included within the green belt. However, on balance, I conclude that the Dalmuir Park should ideally remain designated in the local plan within the urban area under Policy R 1.
- 5.46 I also conclude, following my finding in paragraph 5.36 above, that the local nature conservation sites, which cover part of sites 22, 24 and 27, should continue to be designated under Policy E 3A and shown on the proposals map, and following my finding in paragraph 5.40 above that housing opportunity H 2(12) should be deleted.

### RECOMMENDATIONS

- 5.47 The whole of the Dalmuir Wedge, with the exception of the Dalmuir Park, should be designated as green belt under Policy GB 1.**
- 5.48 The Dalmuir Park should remain within the urban area designated as open space under Policy R 1.**
- 5.49 In the event however, that the council does not accept that the Dalmuir Park should be treated differently to the remainder of the Dalmuir Wedge, then the whole of the Dalmuir Wedge should be designated as green belt under Policy GB 1.**
- 5.50 The existing public service facilities should remain designated under Policy PS 1, and public services opportunity PS 3(7) should remain designated in Schedule PS 3 as shown on map 2 below, but with the boundary of the site adjusted in accordance with PIM 103.**
- 5.51 The local nature conservation sites should remain designated under Policy E 3A as shown on the proposals map.**
- 5.52 Housing opportunity H 2(12) should be deleted from the local plan and from the proposals map in accordance with PIM 35.**



**6 GREEN BELT LAND AT GREAT WESTERN ROAD, CLYDEBANK**

**Policy GB 1 and PIM 13: Green Belt Land at Great Western Road, Clydebank**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Great Western Investments Ltd**

**BACKGROUND AND SITE DESCRIPTION**

- 6.1 This site is designated as green belt in respect of which Policy GB 1 applies a general presumption against development. The objector seeks the removal of the land from the green belt to enable its sensitive development although not for housing. However, the allocation of the land for any specific development in the local plan is not sought.
- 6.2 The objection site, shown on map 3 below, is an undulating area of rough grassland/scrub woodland that appears to be unused at the present time. However, a small part of the site (in the south east corner) is proposed for a special needs care centre (public services opportunity PS 3(11) in Schedule PS 3), which is the subject of PIM 13, and to which there is a separate objection considered in section 4 above. To the west and north of the site is agricultural pasture land (and some scrub woodland) and to the north of Cleddans Road (which is also the line of the Antonine Wall) lies the Clydebank and District Golf Course, which is the subject of a separate objection considered in section 7 below.
- 6.3 To the east of the objection site is a golf centre, which comprises a golf driving range and a retail outlet (including a restaurant) and a substantial car park. Further east there is an outdoor enclosed 5 a side football pitch complex together with an associated club house, and further east of that, but within the City of Glasgow's administrative area, there is an area of housing development up to the roundabout junction with the B8055.
- 6.4 There is a one way access through the golf centre car park, and the football pitch complex and housing area to the east of that, to a road to the north of roundabout junction referred to above, that links into the housing areas at the eastern edge of Drumchapel, within the City of Glasgow. The objection site is part of the area of green belt known as the Hardgate Wedge, which also includes the golf centre and football pitch complex referred to above.

**SUMMARY OF CASE FOR OBJECTOR**

- 6.5 For **Great Western Investments Ltd** it is not accepted that that the land owned by the objector can reasonably be described as green belt. Residential development, soccer and golf complexes with licensed premises and retail have been authorised on this area of so called green belt. The rural nature of the Hardgate Wedge has been abandoned for financial gain or in the interests of the regeneration of Drumchapel.
- 6.6 The objection site is an area of abandoned farmland, subject to unauthorised fly tipping and advertisements; it cannot be described as an attractive, valuable and cohesive green wedge. Development of the site would in no way invade the genuine area of green belt or

increase the very extensive coalescence of Clydebank with Glasgow City and would not affect the required protection of the built heritage interests of HS.

## **COUNCIL RESPONSE**

- 6.7 For **West Dunbartonshire Council** it is submitted that the inclusion of the objection site within the green belt is justified by the role it plays in delivering the objectives of green belt policy, particularly in preventing the coalescence of Duntocher and Hardgate in Clydebank and Drumchapel in Glasgow, and hence protecting and enhancing the character, landscape setting and identity of these urban areas. The green belt boundary at this location, marked by Great Western Road, provides a robust and clearly identifiable edge to the countryside which remains undeveloped.
- 6.8 The local plan supports national and strategic policy in the preference for the reuse of brown field sites and the distribution of development opportunities supports the urban regeneration priorities of the Clydebank Riverside. There is no requirement to release green field sites. Any proposal is likely to have a significant adverse impact on the setting of the Antonine Wall World Heritage Site.

## **CONCLUSIONS**

### **Context for the Consideration of this Objection**

- 6.9 In the first instance, I note that a substantial amount of evidence has been lodged on behalf of the objector, some of this following freedom of information requests to the council, with regard to the council's approval of the golf centre to the east, and the former council's approval of the football pitches to the east of the golf centre.
- 6.10 I must emphasise that I have no remit to make any judgement about the council's processing of planning applications for development in the vicinity of the objection site, or the council's reasons for allowing such development to take place. These are simply not valid matters for me to consider in relation to an objection to the local plan. I therefore decline to consider such evidence on this matter or to form any judgement about whether or not the council has acted reasonably in this respect.
- 6.11 What is appropriate for me to consider, however, is the effect that development now existing on the ground, or committed through the granting of planning permission, may have on the green belt status of the objection site as reflected in the local plan. This is in addition to the consideration of the site in the context of the green belt review, and the line of the Antonine Wall and its buffer zone.

### **Adjoining Uses and Use of Part of the Site for Public Services**

- 6.12 In the above context, the objector considers that adjoining uses are not appropriate green belt uses, and that therefore the objection site should not be retained within the green belt. I have some sympathy with the position of the objector on this matter. Whilst I have accepted (in relation to other objections considered in this report) that golf courses may be appropriate uses within green belt locations, I am not convinced that the golf centre to the east of the objection site is a wholly compatible use for a green belt location. This is essentially because of the large retail outlet and car park associated with the golf centre,

although I also accept that the boundary fences are to some extent an unfortunate intrusion into an otherwise rural setting. Furthermore, the football pitch complex is not the sort of use normally associated with a green belt location.

- 6.13 However, there is a parallel here to my conclusions in relation to the Dalmuir Wedge, where I accept that there are non-conforming uses within the area, but at the same time recommend the inclusion of the area as a whole within the green belt. It may be that the retail outlet relating to the golf centre and the football pitch complex are non-conforming uses that are just as significant, but at least the former is specifically related to the golf driving range, which in itself is relatively suitable use for a green belt location (although I accept that the boundary fences are to some extent an unfortunate intrusion).
- 6.14 The council in any event proposes to retain the golf centre and football pitch complex within the green belt, in addition to the objection site. I find that the non-conforming uses to the east of the objection site are not of such a scale that they should necessarily be excluded from the green belt; and whether or not they are excluded from the green belt, that they do not necessarily justify the exclusion of the objection site from the green belt. On the other hand, I find that it would not be logical to exclude the objection site from the green belt without also excluding at least the golf retail outlet, car park and the football pitch complex.
- 6.15 In addition to the above however, there is the small part of the objection site that is designated as a special needs care centre within Schedule PS 3. However, even this does not necessarily justify the exclusion of any of the objection site from the green belt. The council has in fact not stated whether its intention is to retain that part of the site subject to Policy PS 3 as green belt. For the avoidance of doubt, however, I find that if the rest of the objection site remains in the green belt, the part of the site designated within Schedule PS 3 should also be retained in the green belt, and I refer to my findings in paragraph 4.52 of section 4 above relating to the objection on behalf of Clydebelt to the inclusion of the site for public services within Schedule PS 3.

### **The Green Belt Review**

- 6.16 I refer to my conclusion in paragraph 3.15 of section 3 above, that the only basis for the removal of land from the green belt in this local plan is where such land no longer meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development.
- 6.17 There is no issue relating to the designation of the objection site for housing or another form of development in the local plan, so the outcome of this objection only requires an assessment against the first 2 criteria referred to in paragraph 6.16 above. I accept that in considering these criteria, the character and use of adjoining land, and any committed use on the site itself, are relevant considerations and my findings in relation to these matters are set out in paragraphs 6.12 to 6.15 above.
- 6.18 The Hardgate Wedge is the first section within the green belt review, and the objection site is part of site 2, which is described as grazed fields and an area of rough unmanaged grassland, woodland and wetland next to the A82. Site 1 includes the golf centre and

football pitches, and is in fact described in the report as a well maintained golf course, driving range and football pitches.

- 6.19 There is no mention of the retail unit relating to the golf centre, or the football pitch clubhouse; however, these do occupy a very small part of the overall area, notwithstanding that they are fairly significant buildings. I find in paragraph 6.14 above that they do not necessarily justify the exclusion of the objection site from the green belt. With respect to the remaining areas in the Hardgate Wedge, I accept the conclusion of the green belt review that they meet all of the green belt objectives as referred to in paragraph 6 of SPP 21, and that the sites contain appropriate uses for a green belt, these being agriculture, woodland and recreation.
- 6.20 I recognise that there is reference to the objection site as being part of an unmanaged area, with a large amount of fly tipping, burnt out cars and litter, along the network of paths throughout the area. However, this is mainly an enforcement problem, and I accept that the paths show at least an informal use of the area for walking.
- 6.21 The key issues to consider are the extent to which the objection site, as part of the wider area, provides a landscape setting for the urban area of Clydebank, and the extent to which it prevents the coalescence of the urban areas of Clydebank and Glasgow. I recognise that it is part of a sensitive green belt wedge between the two urban areas; but this has already been somewhat eroded by the housing development, football pitch complex, and the golf retail outlet and car park to the north of the A82, west of the roundabout junction with the B8055.
- 6.22 These developments have in fact already increased the perception of visual coalescence between Clydebank and Glasgow. Nevertheless, the remaining area to the north of the A82 still prevents the complete visual coalescence between these urban areas, and the objection site is a significant part of that area. The development that has already occurred probably in fact increases the importance of the remaining area in this context.
- 6.23 In addition, whilst I accept that the objection site and the area to its immediate west do not have any significant intrinsic landscape quality, they do constitute an informal area of open space/grassland (together with what appears to be naturally regenerating woodland) which nevertheless remains important to the landscape setting of the existing urban edges of Duntocher and Drumchapel. The golf centre retail outlet and car park is effectively now the urban edge of Drumchapel in this context.
- 6.24 It should also be noted that the retention of the site as green belt would not prevent appropriate development on the objection site. The adjacent golf centre was determined on the basis of being development in the green belt, and any proposed development on the objection site should be considered in the same context.
- 6.25 I therefore find, in overall terms, that there is insufficient justification for the removal of the objection site from the green belt, in the context of the green belt review undertaken on behalf of the council.

## **The Antonine Wall**

- 6.26 I refer to my conclusion in paragraph 3.20 of section 3 above, to the effect that the Antonine Wall is a relevant matter to be considered in relation to the proposed removal of a site from the green belt, but where no allocation for development is proposed, Policies BE 6A and BE 6B, and the associated designation of the line of the wall and its buffer zones on the proposals map, still provide significant protection.
- 6.27 The objection site lies within the Antonine Wall's designated buffer zone. The council is therefore concerned about the effect of development on the setting of the Antonine Wall in the event that the objection site is removed from the green belt, and refers to the comments on behalf of HS in this respect.
- 6.28 The objector is seeking the removal of the objection site from the green belt, and is not seeking an allocation for development in the local plan. Nor is the objector seeking the removal of the site from the Antonine Wall's buffer zone. Taking into account my conclusion referred to in paragraph 6.26 above; if the site were simply removed from the green belt, with the buffer zone remaining, then due consideration could still be given to the effect of any development proposal on the setting of the Antonine Wall. I therefore find that the setting of the Antonine Wall is not an overriding consideration in determining whether or not this site should remain within the green belt.
- 6.29 Notwithstanding the above, and as also stated in paragraph 3.20 of section 3 above, Policy GB 1 provides additional protection against inappropriate development within the green belt, which would by definition increase the protection given to the setting of the Antonine Wall. In stating this, I recognise that development has already taken place on adjoining land, which is also within the Antonine Wall's buffer zone, and this has been considered in the context of Policy GB 1.
- 6.30 In this respect, I understand the comment on behalf of the objector relating to the screen fence for the golf driving range, which I accept may be slightly nearer the line of the wall than any part of the objection site; but as intrusive as this may be, it is a transient structure which is not likely to have any permanent adverse effect on the setting of the wall. The uses I have described as non-conforming uses within the green belt are close to the A82 and a significant distance from the Antonine Wall's buffer zone.
- 6.31 In overall terms, I find that the presence of the wall and its buffer zone, the former in relatively close proximity to and the latter including most of the objection site, whilst not being an overriding consideration, weighs against its removal from the green belt to some extent.

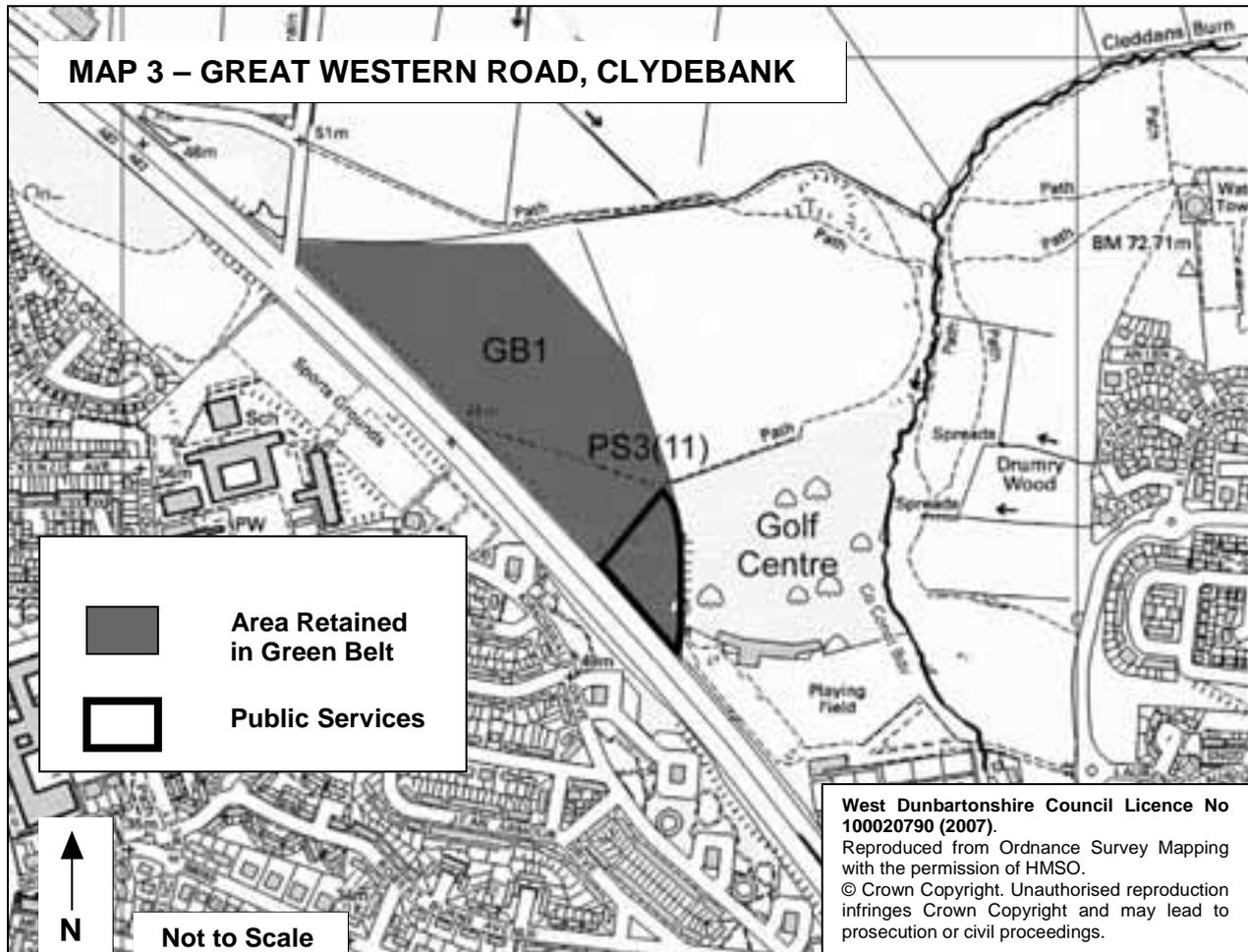
## **Overall Conclusions**

- 6.32 Drawing all of the above together, I conclude that there is insufficient justification for the removal of the objection site from the green belt, in the context of the green belt review undertaken on behalf of the council, and taking into account the Antonine Wall and its buffer zone. The adjoining non-conforming green belt uses provide insufficient justification for the removal of the objection site from the green belt. I therefore conclude that the whole of the area shown as green belt to the north of the A82 at Great Western Road, including the objection site, should remain designated as green belt under

Policy GB 1. For the avoidance of doubt, whilst public services opportunity PS 3(11) should be remain designated within Schedule PS 3, this should also be retained within the designated green belt.

## RECOMMENDATIONS

- 6.33** The site at Great Western Road, Clydebank should be retained within the green belt under Policy GB 1.
- 6.34** That part of the site with outline planning permission for a special needs care centre should remain designated as public services opportunity PS 3(11) in Schedule PS 3, in accordance with PIM 13, but should also be retained within the green belt.



**7 HOUSING OPPORTUNITY SITE AT CLYDEBANK AND DISTRICT GOLF COURSE, CLYDEBANK**

**Policies GB 1 and H 1 (Schedule H 2): Removal of Land from the Green Belt and Housing Opportunity Site at Clydebank and District Golf Course**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Clydebank and District Golf Club per Turley Associates**

**BACKGROUND AND SITE DESCRIPTION**

- 7.1 This site is designated as green belt in respect of which Policy GB 1 applies a general presumption against development. The site also lies within the Antonine Wall buffer zone protected under Policy BE 6B of the local plan. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. This site is not included in the appropriate schedule and is not designated as a housing site on the relevant proposals map. The objector seeks the deletion of approximately 16 ha of land from the green belt and its inclusion for housing within Schedule H 2, and the exclusion of the remainder of the golf course from the green belt and Antonine Wall buffer zones.
- 7.2 The site is shown on map 4 below, and is adjacent to the eastern urban edge of Hardgate. The golf course is on attractive undulating countryside, interspersed with mature trees, which is generally obscured from view by high banking from Glasgow Road to the north. However, the golf course is readily visible from Cleddans Road to the south, where it adjoins existing housing to the east of Kilbowie Road. From there the golf course provides an attractive landscape setting to the eastern urban edge of Hardgate.

**SUMMARY OF CASE FOR OBJECTOR**

- 7.3 For **Clydebank and District Golf Club** it is submitted that the proposed housing site is appropriate for lower density housing to complement high density development being promoted elsewhere on brown field sites within Clydebank. If the council is unwilling to allocate the site as a residential opportunity immediately, it is requested that, at the very least, the site be identified as a reserve site to be allocated under Policy H 2 when assessments of supply and demand conclude that further sites should be identified for housing. The plan should acknowledge that development upon the golf course could be appropriate as enabling development.
- 7.4 It is also submitted that the entire course falling within the green belt and Antonine Wall Buffer Zone should be removed from these designations in order to achieve development and an appropriate extension to the golf course. Failing this, the proposed residential site referred to above should be removed from the green belt and Antonine Wall Buffer Zone. The objector supports the intention to improve the setting of the Antonine Wall but considers it unnecessary to identify such a wide amenity zone. A more discreet area would be sufficient.

## **COUNCIL RESPONSE**

- 7.5 For West Dunbartonshire Council it is submitted that there is no strategic context for the allocation of additional housing land in West Dunbartonshire in the period up to 2018. The housing land supply position must be considered across the whole of the HSMA and there is no evidence that the land supply, which continues to increase, cannot provide an adequate supply and choice of private housing opportunities. Furthermore, the housing land supply supports national and strategic policy in the preference for the reuse of brown field sites. The long term settlement strategy and the continuing supply of urban land for redevelopment in Clydebank negate the need to identify reserve sites in the green belt in the local plan.
- 7.6 The inclusion of Clydebank & District Golf Course within the green belt is justified by the role in which it plays in delivering the objectives of green belt policy, particularly supporting the long term settlement strategy and preventing the coalescence of Duntocher and Hardgate in Clydebank and Drumchapel in Glasgow and hence protecting and enhancing the character, landscape setting and identity of these urban areas. Any development on this site is likely to have a significant adverse impact on the landscape setting and the setting of the Antonine Wall World Heritage Site.

## **CONCLUSIONS**

### **Housing Land**

- 7.7 I firstly refer to my conclusion in paragraph 3.8 of section 3 above that there is a case for the designation of additional green field sites in Schedule H 2, on a limited scale, in the event that such do not undermine the objectives of the green belt and are acceptable in other environmental terms.
- 7.8 However, the allocation of 16 ha of the objection site for housing, whilst contributing to the effective land supply, would constitute a fairly substantial green belt release extending up to 300 houses, depending on the density of housing development on the site. If the housing were of a lower density, some 200 houses could still be expected, and this would generally be beyond what I would consider to be of a limited scale. Nevertheless, the impact of housing development on the landscape setting of Hardgate, potential coalescence and matters relating to the Antonine Wall are considered commencing in paragraph 7.10 below.
- 7.9 I have also considered the possibility that the land could be identified as reserve land in the context of Policy H 2 of the local plan, to be implemented only in the event that a need for additional housing land is identified during the period of the local plan. However, I am conscious that the housing land in Schedule H 2 is significantly greater than the effective housing land supply for the next 7 years identified in the latest HLA, and in fact provides for housing land in the medium term as well. There is therefore no basis for the inclusion of reserve housing land within the Clydebank area.

### **The Green Belt**

- 7.10 I also refer to my conclusion in paragraph 3.15 of section 3 above that the only basis for the removal of land from the green belt in this local plan is where such land no longer

meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development. With respect to the objection site, this is referred to in the green belt review as site 4 of the Hardgate Wedge; although the golf course extends to into East Dunbartonshire, I am only concerned with that part of the golf course lying within West Dunbartonshire, which is as shown on map 4 below.

- 7.11 The site is described in the green belt review as a well maintained golf course with clumps of shrubs and belts of open spaced tree planting. The site, in addition the remainder of the Hardgate Wedge, is considered to meet all 3 green belt objectives identified in paragraph 6 of SPP 21. I fully agree with that assessment, and indeed would particularly mention the importance of the objection site in contributing to the landscape setting of the eastern edge of Hardgate. I am satisfied that any proposed future development of the golf course could take place, subject to appropriate design considerations, because it is an appropriate green belt use. I therefore find that there is no basis to justify the site's removal from the green belt in terms of the objectives of the green belt, or the use of the site.
- 7.12 With respect to the proposed housing opportunity site, the proposed new housing would adjoin the existing eastern edge of Hardgate and be viewed in that context. A low density residential development would be able to incorporate extensive open space and landscaping. Nevertheless, it would significantly intrude into open countryside which is part of the Hardgate Wedge. Particularly from the south, new housing development on the site would have a significant and adverse impact on the landscape setting of the urban edge of Hardgate. It would also significantly reduce the amount of countryside between Hardgate and Drumchapel, thus causing visual coalescence between the 2 settlements.
- 7.13 I recognise that the objector considers the housing site to be enabling development relating to the future development of the golf course. Whilst I acknowledge that the future development of the golf course may well benefit the local community, in my view this is outweighed by the adverse landscape impact and visual coalescence that would be caused by housing development on the site.

### **The Antonine Wall**

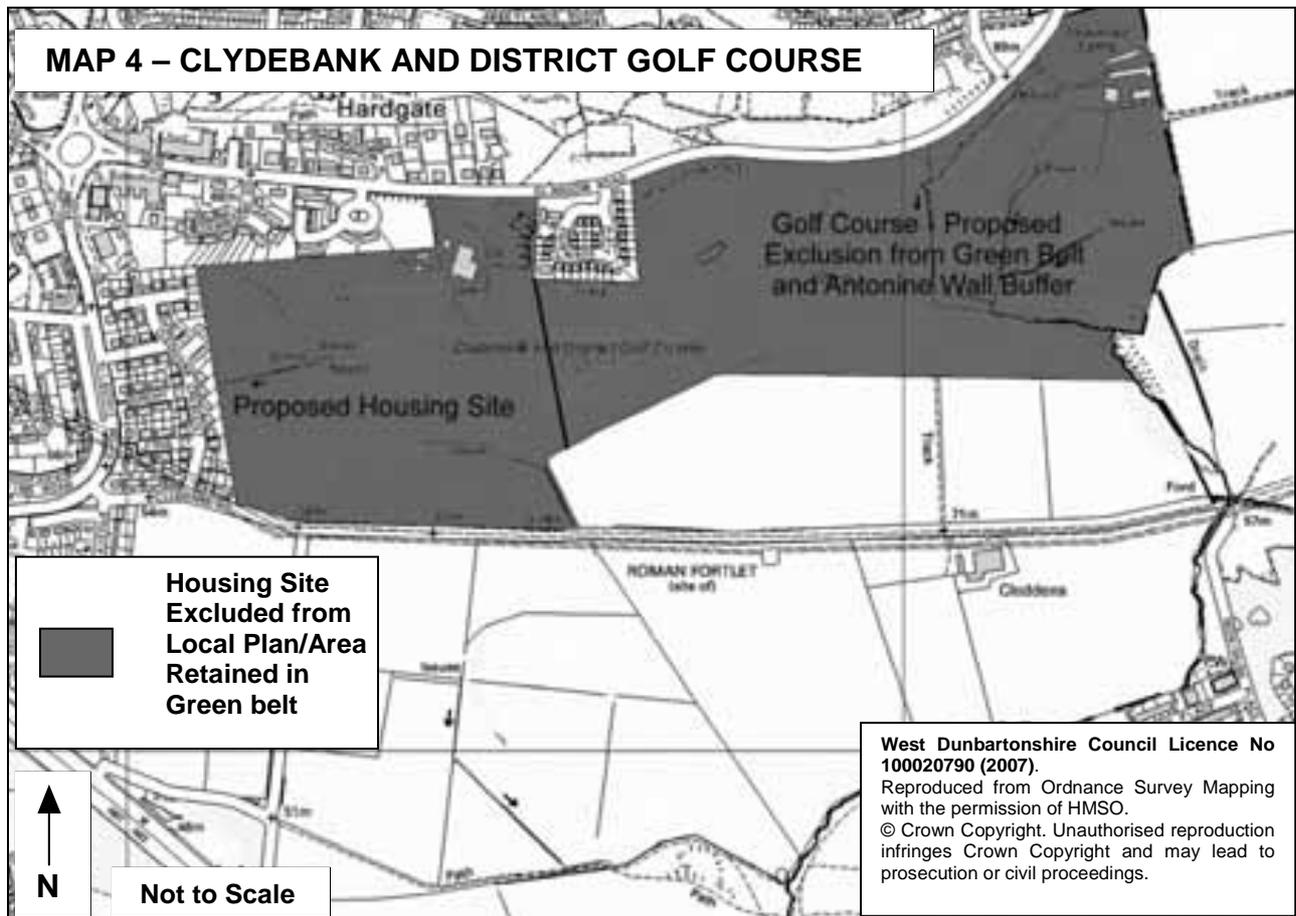
- 7.14 I refer to my conclusion in paragraph 3.19 of section 3 above, that the Antonine Wall is of major importance to the heritage of Scotland, and unless it can be clearly demonstrated that development is unlikely to have an adverse impact, no sites for housing development should be designated in the local plan on the line of or within the buffer zones of the Antonine Wall.
- 7.15 The whole of the objection site lies within the buffer zone of the Antonine Wall, and the proposed housing site would extend as far as the line of the wall along the southern boundary. Taking into account the submission of HS that is also referred to in paragraph 3.17 above, I find that it has not been demonstrated that development is unlikely to have an adverse impact on the line of the wall. I am not convinced by the argument on behalf of the objector that a more discreet area for the buffer zone would be sufficient.

**Overall Conclusions**

7.16 In overall terms, I conclude that the whole of the objection site meets green belt objectives and contains a use appropriate to the green belt. Housing development on the site, particularly from the south, would have a significant and adverse impact on the landscape setting of the urban edge of Hardgate, and it has not been demonstrated that development is unlikely to have an adverse impact on the line of the Antonine Wall and its setting. These matters outweigh any contribution the site would make to the effective housing land supply. The site should therefore be retained within the green belt and buffer zone of the Antonine Wall. The proposed housing opportunity site should not be included under Policy H 1 and Schedule H 2 of the local plan, nor would it be appropriate to identify this part of the site as reserve housing land in the context of Policy H 2.

**RECOMMENDATION**

7.17 **The site at the Clydebank and District Golf Course should be retained within the green belt and buffer zone of the Antonine Wall, and the site should not be included as a housing opportunity in Schedule H 2 or as reserve housing land.**



**8 HOUSING OPPORTUNITY SITE AT AUCHINLECK ROAD, HARDGATE, CLYDEBANK**

**Policies GB 1 and H 1 (Schedule H 2): Housing Opportunity Site at Auchinleck Road, Hardgate, Clydebank**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Gartmore Properties Ltd per James Barr**

**BACKGROUND AND SITE DESCRIPTION**

- 8.1 This site is designated as green belt in respect of which Policy GB 1 applies a general presumption against development. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. This site is not included in the appropriate schedule and is not designated as a housing site on the relevant proposals map.
- 8.2 The objector seeks the removal of the site from the green belt and its inclusion in the local plan for a mixed housing and recreational development opportunity. I regard this as essentially seeking a housing opportunity within Schedule H 2, rather than a mixed used development opportunity within Schedule GD 2, because appropriate open space could be provided along the Cochno Burn as part of any housing development. However, for the avoidance of any doubt, similar considerations would apply to the site's identification for mixed use development within Schedule GD 2.
- 8.3 The site is shown on map 5 below, and lies north of the junction of Cochno Road with Auchinleck Road. The site constitutes naturally regenerated scrub woodland and grassland on both sides of the Cochno Burn, which runs through the middle of the site. There is a bund restricting access to the site from Auchinleck Road, but pedestrian access can still be easily gained into the site. There is also evidence of some fly tipping on the site. The site is the southern end of a finger of green belt land extending along both sides of the Cochno Burn from the north; however pedestrian access to the corridor further north of the site is severely restricted by the topography and vegetation.

**SUMMARY OF CASE FOR OBJECTOR**

- 8.4 For **Gartmore Properties Ltd** it is submitted that a lack of investment for the site has led to the demise in the quality of the natural environment to the detriment of the character and amenity of the surrounding residential area and wider countryside. The land is subject to littering, dumping and general misuse/anti-social behaviour. Surrounding developments, the expansion of the settlement to the north and its condition mean that the site can no longer be seen to contribute to the green belt.
- 8.5 A defensible or visible green belt boundary is not available in this location, but could be strengthened as a result of the development proposed. Development of this brown field

site for a sensitive residential development would improve residential amenity, enhance the natural environment and wildlife corridor area, improve the variety and choice of housing in this location and improve accessibility and recreational opportunities.

## **COUNCIL RESPONSE**

- 8.6 For **West Dunbartonshire Council** it is submitted that the objection site contributes to the delivery of green belt objectives. The natural appearance of the site contrasts with the adjacent urban area, contributing significantly to the local setting and preventing the physical and visual coalescence of Faifley and the northern part of Duntocher. Although narrow, the Cochno Burn corridor is very well defined, with particularly strong boundaries along Cochno Road and Auchinleck Road. There is no strategic requirement for additional housing land to be released in West Dunbartonshire.
- 8.7 The current land supply supports the need to make use of brown field opportunities where they occur, and the distribution and choice of sites supports the urban regeneration priorities of the Clydebank Riverside. Furthermore, the site has a known risk of flooding. Without a flood risk assessment, the extent of the site which falls outwith the functional floodplain and therefore may be suitable for development is not clear.

## **CONCLUSIONS**

### **Housing Land**

- 8.8 I do not agree with the objector that this site is brown field in character; there is no evidence on site of any former use, and the site constitutes naturally regenerated scrub woodland and grassland, which is clearly part of the small Cochno Burn corridor. The site enhances rather than detracts from the amenity of the area. However, I refer to my conclusion in paragraph 3.8 of section 3 above that there is a case for the designation of additional green field sites in Schedule H 2, on a limited scale, in the event that such do not undermine the objectives of the green belt and are acceptable in other environmental terms. The allocation of this site for housing would be acceptable in this context, but only following a favourable assessment of the environmental impact of removing the site from the green belt and is development for housing purposes.

### **The Green Belt**

- 8.9 I also refer to my conclusion in paragraph 3.15 of section 3 above that the only basis for the removal of land from the green belt in this local plan is where such land no longer meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development.
- 8.10 With respect to the objection site, this is referred to in the green belt review as being part of site 7, and particular mention is made of the Cochno Burn Corridor at the western end. I agree with the assessment that this corridor is well defined and contributes significantly to the local setting. I accept that it also has the effect of preventing complete coalescence between 2 separate built up areas, but these already visually coalesce to a significant extent, and the Cochno Burn Corridor is very narrow. This also does not really constitute separation between settlements as both are part of the Clydebank built up area.

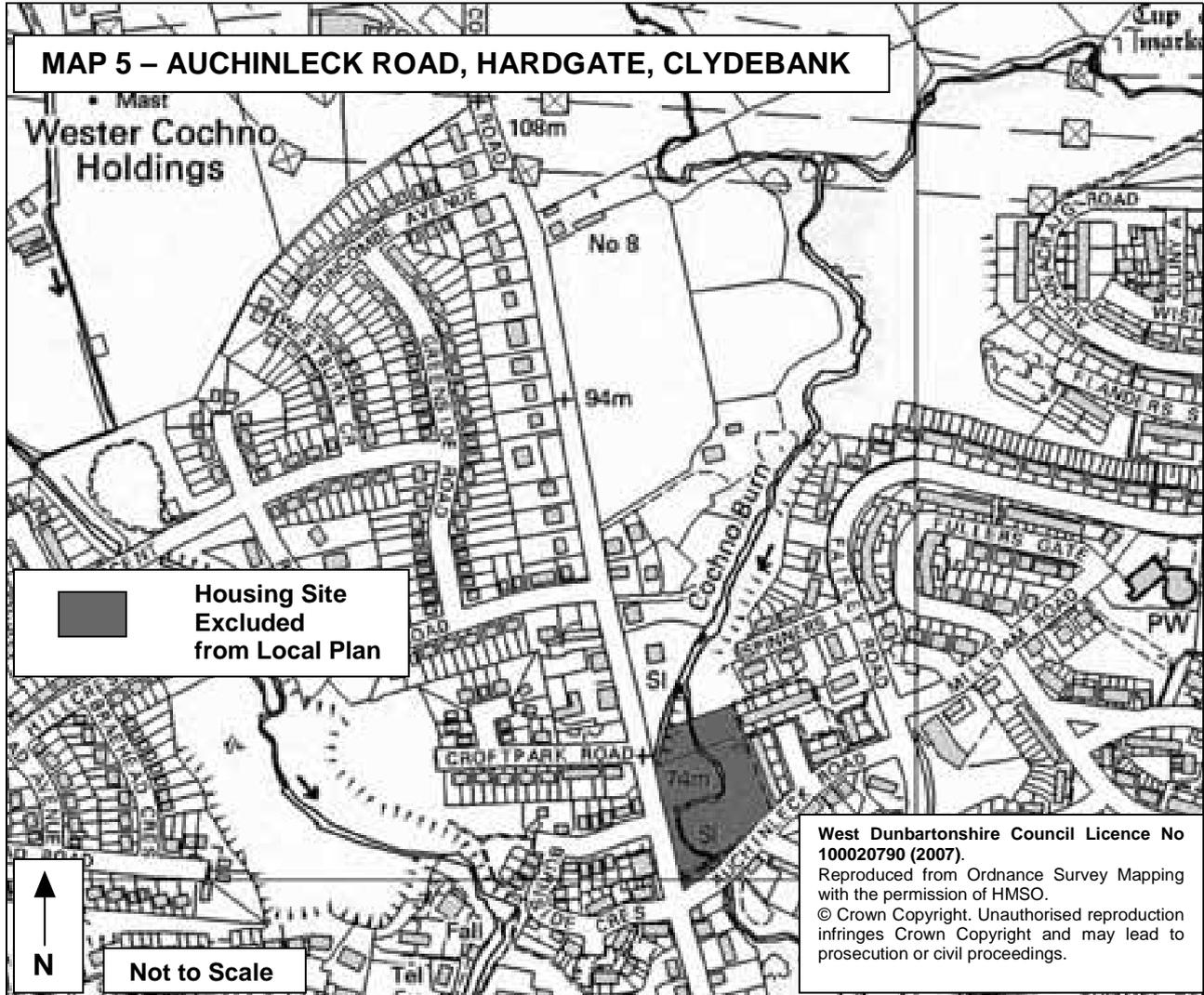
- 8.11 However, I find that the site is an important part of a larger area which meets green belt objectives. Since it is an area of regenerated scrub woodland and grassland that enhances rather than detracts from the amenity of the area (although it is very limited in providing informal recreation owing to the difficulty of accessing the Cochno Burn corridor to the north) it also comprises a use which is compatible with its green belt designation. I accept that there is evidence of littering and dumping, but this is likely to occur in an urban fringe location where an area is not formally maintained. This is however an enforcement issue and does not necessarily justify the removal of the site from the green belt and its inclusion within the urban area. I also refer to my conclusions in section 4 above relating to a site to the north which is also part of the Cochno Burn Corridor, and where I recommend that part of this site should be designated as green belt. It is important to treat these areas consistently. On balance, I therefore find that it is more appropriate to retain the site within the green belt rather than include it within the urban area.
- 8.12 Nevertheless, I also need to consider the potential landscape and other impacts from housing development on the site. I accept that it is the intention of the objector to provide a low density housing development, and retain access through the Cochno Burn Corridor by the provision of a significant area of open space on the site. However, even low density housing would alter the character of the site from an informal, natural open space, to a planned urban open space. This would adversely affect the character and setting of the existing residential areas on either side of the Cochno Burn corridor. To a limited extent, it would also exacerbate the visual coalescence between these areas. On balance, I therefore find that new housing development on the site would adversely affect the landscape setting of the existing urban edges of Duntocher and Hardgate.
- 8.13 In addition, part of the site lies within the 1 in 200 year flood envelope, and I note the observations of SEPA on this matter. From my own observations on the site, the low lying nature of the land, and the extent of the water course running through the site, its potential development appears to me to be very uncertain. Following on from this, although a layout for low density housing on the site which avoids the risk of flooding may be possible, without a flood risk assessment this uncertainty significantly weighs against the allocation of the site for housing development in the local plan.

### **Overall Conclusions**

- 8.14 In overall terms, I conclude that the site contributes to the objectives of the green belt and contains a use appropriate to the green belt. Housing development would adversely affect the landscape setting of the existing urban edges of Duntocher and Hardgate. In addition, the uncertainty relating to the risk of flooding significantly weighs against its allocation for housing development. These adverse environmental impacts outweigh any contribution that the site would make to the effective housing land supply.

### **RECOMMENDATION**

- 8.15 The site at Auchinleck Road, Hardgate should be retained within the green belt and should not be included as a housing opportunity in Schedule H 2.**



**9 HOUSING OPPORTUNITY SITE AT DUNTIGLENNAN FARM, DUNTOCHER, CLYDEBANK**

**Policies GB 1 and H 1 (Schedule H 2): Housing Opportunity Site at Duntiglenan Farm, Duntocher, Clydebank**

**OBJECTOR AT HEARING**

**For Marshall Ltd per Drivers Jonas:**

**Mr Alistair Hilton, Senior Planner, Drivers Jonas**

**Mr Steven Cameron, Associate, Drivers Jonas**

**Mr Andy Richardson, Director, Marshall Ltd**

**Mr Pierre De Fence, Director, Knowes Housing Association**

**WEST DUNBARTONSHIRE COUNCIL**

**For West Dunbartonshire Council:**

**Mr Alan Williamson, Section Head, Forward Planning & Regeneration, WDC**

**Ms Moira Clark, Planning Officer, WDC**

**Mr Alistair Gemmell, Planning Officer, WDC**

**BACKGROUND AND SITE DESCRIPTION**

- 9.1 This site is designated as green belt in respect of which Policy GB 1 applies a general presumption against development. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. This site is not included in the appropriate schedule and is not designated as a housing site on the relevant proposals map. The objector seeks the removal of the site from the green belt and its inclusion for housing within Schedule H 2.
- 9.2 The site is shown on map 6 below, and comprises 3 fields of pasture land to the north and west of existing housing on Mirren Drive. There are 2 fields to the north of the existing housing which rise to a high point at the north western edge of the southern most of these fields, where there is a prominent group of mature trees. The northern most field then falls away to the northern boundary of the site. The field to the west of the existing housing is steeply sloping and rises to a broad ridge near the northern boundary. An area of maintained grass to the east of this field, which is easily accessible from Craigielea Road, is also included within the site.

**SUMMARY OF CASE FOR OBJECTOR**

- 9.3 For **Marshall Ltd** it is submitted that the fields referred to above at Duntiglenan Farm should be removed from the green belt and included within the settlement boundary as a housing opportunity site. It is further submitted that developing the site for housing would not have an adverse impact on the green belt. It is considered that the site would provide increased housing choice at a sustainable location, providing executive and family housing as well as social rented housing.

## **COUNCIL RESPONSE**

- 9.4 For **West Dunbartonshire Council** it is submitted that there is no strategic requirement for additional housing land within the HMA. If additional land is required, brown field opportunities should be given priority, supporting the policy of urban regeneration. The benefits of supporting such sustainable development outweigh any perceived reduction in housing choice which can be met, if necessary, within the wider HMA. The landscape assessment has concluded that the site fulfils the objectives of the green belt and is particularly important in maintaining the landscape setting of Duntocher.

## **CONCLUSIONS**

### **Housing Land**

- 9.5 I firstly refer to my conclusion in paragraph 3.8 of section 3 above that there is a case for the designation of additional green field sites in Schedule H 2, on a limited scale, in the event that such do not undermine the objectives of the green belt and are acceptable in other environmental terms. However, the allocation of the objection site for housing, whilst contributing to the effective land supply, would be likely to constitute a fairly substantial green belt release extending to some 107 houses, and would be at least at the margin of what I would consider to be of a limited scale. Nevertheless, issues relating to the green belt and the impact of housing development on the landscape setting of Duntocher are considered commencing in paragraph 9.6 below.

### **The Green Belt**

- 9.6 I also refer to my conclusion in paragraph 3.15 of section 3 above that the only basis for the removal of land from the green belt in this local plan is where such land no longer meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development. With respect to the objection site, this is referred to in the green belt review as sites 15, 16 and 17.
- 9.7 Site 15 comprises the 2 fields to the north of the existing housing on Mirren Drive, site 16 is the steeply sloping field to the west of this existing housing, and site 17 is the area of maintained open space to the east of site 16. With respect to the latter site, the council has already removed this area from the green belt and designated it as open space under Policy R 1 of the local plan. Since the objector does not intend to build houses on this area, and would retain the area as open space, there is no significant issue between the parties here.
- 9.8 However, I agree with the conclusions of the green belt review that sites 15 and 16 meet green belt objectives and contain a use appropriate to the green belt. They are prominent sites that are important to the landscape setting of the western edge of Duntocher. From the south east, and particularly from the trigonometric point on Golden Hill, both sites are highly visible. I accept that the existing housing on Mirren Drive intrudes significantly into the countryside. Notwithstanding this, although new housing development on the objection site would be seen in this context, it would also be seen to extend the urban boundary significantly in both a northerly and westerly direction. In long distance views

from the south east new housing development would therefore have a significant and adverse impact on the landscape setting of the western edge of Duntocher.

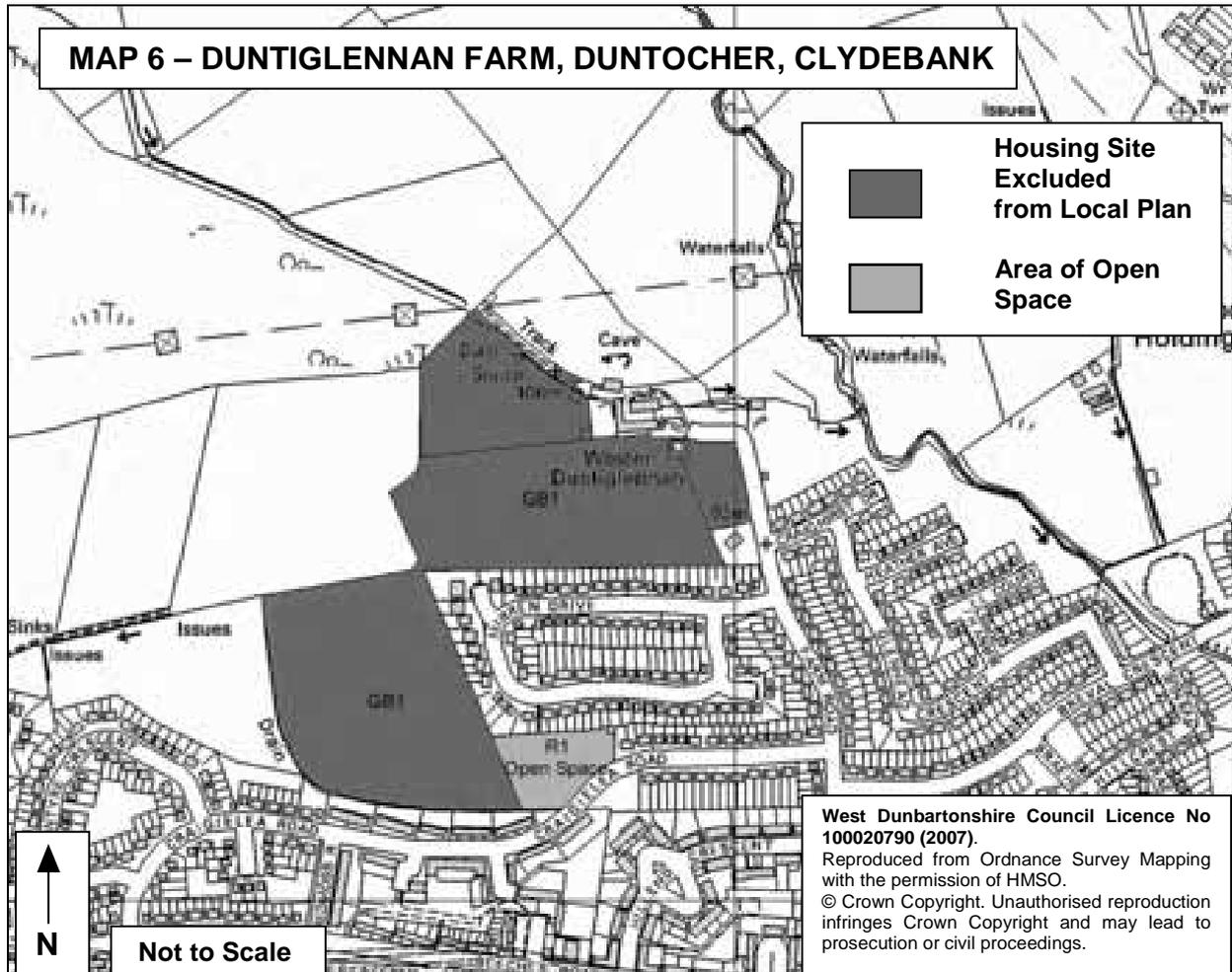
- 9.9 In closer views from south of the objection site, particularly from the existing housing along Beeches Road and Craigielea Road, although housing on site 15 would generally be obscured from view, housing development on the steeply sloping site 16 would be very conspicuous. I am conscious that the objector proposes to develop only the northern part of this site for housing, and leave the remainder as open space. However, I consider that the housing would be likely to extend far enough to the south that it would still be prominent in local views from the south, and would thus have a significant and adverse visual impact on the landscape setting of the existing urban edge from here.
- 9.10 I am not convinced by the evidence on behalf of the objector that the farm steading buildings (although these have been converted to at least 6 houses) and the lane leading to this are urban in character. Nor does the fact that part of the objection site is used for the keeping of horses alter the character of the objection site. Although I accept that it is within the urban fringe, it is still essentially rural in character.
- 9.11 I also appreciate that there is a mature tree belt along the western and northern boundaries of site 16, which is the subject of a TPO. Whilst this would provide a reasonably robust green belt boundary, it would not justify the significant adverse impact from housing development on the landscape setting of the western edge of Duntocher.
- 9.12 Comparison was drawn at the hearing with a housing development that has recently taken place on the eastern side of Cochno Road. Whilst I accept that this housing is also very conspicuous in views from Golden Hill to the south east, it is not seen to extend the urban area to the extent that would occur with housing development on the objection site, and therefore the development at Cochno Road does not set a precedent for housing development on the objection site.

### **Overall Conclusions**

- 9.13 In overall terms, I conclude that the objection site meets the objectives of the green belt, and that housing development thereon would have a significant and adverse impact on the landscape setting of the western edge of Duntocher. This adverse environmental impact significantly outweighs any contribution that the site would make to the effective housing land supply.

### **RECOMMENDATION**

- 9.14 The site at Duntiglennan Farm, Duntocher should be retained within the green belt and should not be included as a housing opportunity in Schedule H 2.**



**10 HOUSING OPPORTUNITY SITE AT CARLEITH FARM, DUNTOCHER, CLYDEBANK**

**Policies GB 1 and H 1 (Schedule H 2): Removal of Site from Green Belt and Housing Opportunity Site at Carleith Farm, Duntocher, Clydebank**

**OBJECTOR AT HEARING**

**Mr Ross McLaughlin**

**WEST DUNBARTONSHIRE COUNCIL**

**For West Dunbartonshire Council:**

**Mr Alan Williamson, Section Head, Forward Planning & Regeneration, WDC**

**Mr Alistair Gemmell, Planning Officer, WDC**

**Ms Moira Clark, Planning Officer, WDC**

**BACKGROUND AND SITE DESCRIPTION**

- 10.1 This site is designated as green belt in respect of which Policy GB 1 applies a general presumption against development. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. This site is not included in the appropriate schedule and is not designated as a housing site on the relevant proposals map. The objector seeks the removal of the site from the green belt and its inclusion for housing within Schedule H 2.
- 10.2 The site is shown on map 7 below, and comprises what appears to be unused rough grassland to the north of the A82. There is a school to the east of the site, and housing along part of the site's northern boundary. The remainder of the site's northern boundary borders further rough grassland to the north of the site. There is a cemetery to the west which takes access from the junction of Mountblow Road with the A82. A wall bounds the site with the A82, beyond which is the Auchentoshan Centre (within the Dalmuir Wedge) set within mature trees, which the council proposes to remove from the green belt and designate as open space (section 5 above). There is a strip of unmaintained rough grass to the east of the site and south of the school which the council proposes to retain within the green belt.

**SUMMARY OF CASE FOR OBJECTOR**

- 10.3 **Mr Ross McLaughlin** submits that the land should (1) be removed from the green belt and (2) be allocated for housing development. It is submitted that the site is clearly urban fringe in its character and land use and would act as an acceptable settlement expansion in land use terms. The site fails to meet the specified key objectives of green belt policy. The inclusion of the site within Schedule H 2 would provide a better urban edge to Clydebank and would contribute to ensuring an adequate supply and choice for private residential development. The site represents an opportunity to develop family homes that benefit from good public access to services and facilities, with a countryside character

and links to the Kilpatrick Hills and beyond. It is a deliverable alternative to high density development in the urban core.

## **COUNCIL RESPONSE**

- 10.4 For **West Dunbartonshire Council** it is submitted that the objection site contributes to the delivery of green belt objectives, supporting the long term urban growth strategy, protecting the character and landscape setting of Duntocher and access to open space. Removing the objection site from the green belt would significantly weaken the integrity of the green belt boundary, delineated at this location by the southern boundary of the objection site. There is no strategic requirement for additional housing land to be released in West Dunbartonshire. The housing land supply supports national and strategic policy in the preference for the reuse of brown field sites. The HSMA provides a full range of housing sites and locations. Development of the site is likely to have a significant adverse impact on the site and setting of the Antonine Wall World Heritage Site.

## **CONCLUSIONS**

### **Housing Land**

- 10.5 I firstly refer to my conclusion in paragraph 3.8 of section 3 above that there is a case for the designation of additional green field sites in Schedule H 2, on a limited scale, in the event that such do not undermine the objectives of the green belt and are acceptable in other environmental terms. The allocation of the objection site for housing would contribute to the effective land supply, would be likely to constitute a fairly modest green belt release extending to some 60 houses, and may therefore be acceptable in this context. However, the acceptability or otherwise of such a release is to a significant extent dependent upon the environmental issues which are set out below.

### **The Green Belt**

- 10.6 I also refer to my conclusion in paragraph 3.15 of section 3 above that the only basis for the removal of land from the green belt in this local plan is where such land no longer meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development. I am conscious that in this case the objector has specifically sought consideration of the removal of the site from the green belt as a separate issue from the designation of the site for housing; I therefore consider the possibility of the site's removal from the green belt and its inclusion within the settlement boundary both with and without the site's designation for housing in Schedule H 2.
- 10.7 The objection site is referred to in the green belt review as part of site 20. In addition to the objection site, site 20 includes the field to the north of the line of the Antonine Wall and core path 99. This field is similar in terms of its physical appearance to the objection site, although I agree with what is stated in the green belt review that the objection site is more urban fringe in character, to the extent that there is more of the built up area in view and traffic noise from the A82 is very noticeable.
- 10.8 Although the site appears to be generally unused, there are several clear footpaths through the site, showing that it is used to some extent by local people for informal

recreational purposes. The site therefore has a role in providing access to the wider countryside, although this is limited by the fact that core path 99 in any event provides such access from the existing housing, and there are physical barriers preventing access from the site directly to the cemetery to the west or the Dalmuir Wedge to the south.

- 10.9 The site nevertheless forms part of the landscape setting of the western edge of the built up area of Duntocher, and indeed provides an important green space linking with the Dalmuir Wedge to the south. Should the Dalmuir Wedge be designated as green belt, the objection site has a key role in contributing to the objectives stated in paragraph 6 of SPP 21. However, should the Dalmuir Wedge not be designated as green belt, the contribution made by the objection site to the objectives of the green belt would be less.
- 10.10 On balance, whilst the urban fringe characteristics of the objection site and its limited accessibility to the wider countryside to some extent reduce its contribution to the objectives of the green belt, I find that the site contributes sufficiently that it should remain as green belt in the local plan unless it is designated for housing development. I therefore find that there is no case to simply remove the site from the green belt and include the site within the settlement boundary.
- 10.11 With respect to the designation of the site as a housing opportunity site in Schedule H 2, I find that the key issue in relation to the green belt is the impact of housing development on the landscape setting of the western edge of Duntocher. The site is relatively low lying, and there are no significant medium or long distance views into the site from public viewpoints apart from those at the Mountblow Flyover. From there the housing to the east and north of the site is already visible, and new housing development would not be seen to extend the built up area to any significant extent.
- 10.12 Local views of new housing development from the within the site itself and along the access road to Carleith Farm would be seen within the context of the existing built up area. There would be limited views of any new housing from the A82 owing to the stone wall along the boundary. I also agree with the statement in the green belt review that the site is only moderately susceptible to development owing to its low recreation, biodiversity and scenic values. I therefore find that housing development on the objection site would not have a significant adverse impact on the landscape setting of Duntocher, and would have a limited effect on the objectives of the green belt.
- 10.13 In addition, I find that the western and northern boundaries of the site, which would become the new green belt boundary should the site be developed for housing, would be reasonably defensible, owing to the significant planting and access road along the western boundary and core path 99 along the northern boundary. There would however be less credibility to the green belt boundary if the site were developed for housing and at the same time the Dalmuir Wedge were designated as green belt. On the other hand, retaining the Dalmuir Wedge within the urban area as open space under Policy R 1 would probably strengthen the case for housing development on the objection site in landscape terms.

### **The Antonine Wall**

- 10.14 The line of the Antonine Wall runs along the northern boundary of the site, although there is no physical evidence of the wall on the site. In addition the whole of the

objection site is included within the wall's buffer zone. It is a scheduled monument of international importance, and I refer to my conclusion in paragraph 3.19 of section 3 above that unless it can be clearly demonstrated that development is unlikely to have an adverse impact on the wall or its setting, no sites for housing development should be designated in the local plan on the line of or within the buffer zone of the wall.

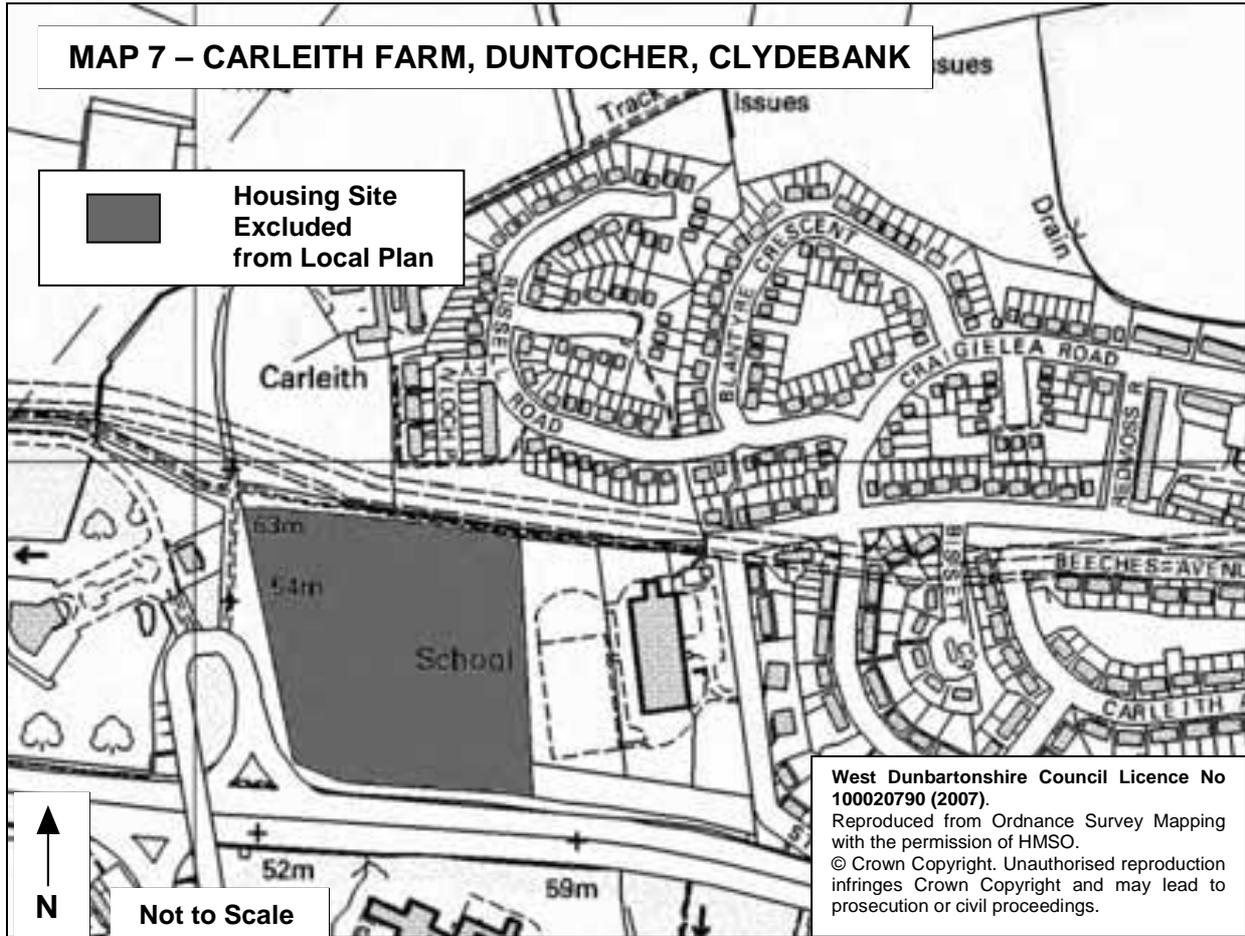
- 10.15 In this case, I am conscious that the objector is keen to work with the council and HS in the context of the Antonine Wall Management Plan. I also appreciate that a facility could be provided to locate and enhance the experience of the wall, along the lines of the linear interpretation park suggested by the objector. However, the inclusion of this and an indicative number of houses for the site would be insufficient protection; on balance I find that housing development on the site would be likely to have an adverse impact on the wall and its setting.

### **Overall Conclusions**

- 10.16 In overall terms, I conclude that this site contributes to the objectives of the green belt and that it should be retained within the green belt. Housing development would be likely to have an adverse impact on the Antonine Wall and its setting; and this outweighs any contribution that the site would make to the effective housing land supply and the lack of any significant adverse impact from housing development on the landscape setting of Duntocher.

### **RECOMMENDATION**

- 10.17 The site at Carleith Farm, Duntocher should be retained within the green belt and should not be included as a housing opportunity in Schedule H 2.**



**11 HOUSING OPPORTUNITY SITE AT DUMBUCKHILL, DUMBARTON**

**Policies GB 1 and H 1 (Schedule H 1): Housing Opportunity Site at Dumbuckhill, Dumbarton**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Tarmac Ltd**

**BACKGROUND AND SITE DESCRIPTION**

- 11.1 This site is designated as green belt in respect of which Policy GB 1 applies a general presumption against development. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. This site is not included in either schedule and is not designated as a housing site on the relevant proposals map. The objector seeks the deletion of the site from the green belt and its inclusion for housing within Schedules H 1 and H 2. However, the council has indicated that the objection site falls within the Dumbarton and Vale of Leven HMA, and so the relevant schedule to consider is Schedule H 1.
- 11.2 The site is shown on map 8 below, and surrounds the existing Dumbuckhill Quarry. It is an extensive area of some 40 ha of countryside extending from the village of Milton to the eastern boundary of Dumbarton. It is generally agricultural pasture land which rises from the eastern edge of the built up area of Dumbarton at Barnhill Road to a high point towards the centre of the site, and then falls to the western boundary of Milton at Colquhoun Road and Lennox Road. The views from both sides are of attractive open pastureland interspersed with mature trees, and although Dumbuckhill is prominent within these views, the existing quarry operations are not visible from either viewpoint.

**SUMMARY OF CASE FOR OBJECTOR**

- 11.3 For **Tarmac Ltd** it is submitted that the land should be removed from the green belt and identified as an opportunity for private residential development. It is considered that the site can promote sustainable development at an accessible location and therefore contribute to the overall competitiveness of Dumbarton and Milton. In addition there would be the opportunity to provide site remediation and enhanced areas of open space and public access through the provision of enabling residential development.

**COUNCIL RESPONSE**

- 11.4 For **West Dunbartonshire Council** it is submitted that there is no strategic context for the allocation of additional housing land in the HMA. The local plan supports national policy for the reuse of brown field land, pursuing a long term sustainable settlement strategy based on urban regeneration and the protection of the green belt. The site fulfils a clear green belt purpose, the use made of the land is appropriate, and the boundaries are well defined. The site is highly visible, and development would cause coalescence

between Dumbarton and Milton. There is a presumption against additional accesses onto the A82, and a development of this size would cause potentially insurmountable issues with regard to the local roads network.

## **CONCLUSIONS**

### **Housing Land**

- 11.5 I firstly refer to my conclusion in paragraph 3.11 of section 3 above that there appear to be more green field opportunities for housing development than exist in the Clydebank area, and therefore whilst I would not necessarily rule out further limited green field release for housing, I conclude that there is no demonstrated case for additional green field sites in Schedule H 1.
- 11.6 In any event, the allocation of the objection site for housing, whilst contributing to the effective land supply, would constitute a very substantial green belt release extending potentially to some 1,000 houses, and would be considerably beyond what would be appropriate in the context of paragraph 11.5 above. Nevertheless, issues relating to the green belt, the impact of housing development on the landscape setting of Milton and Dumbarton and potential coalescence are considered commencing in paragraph 11.8 below. The accessibility of the site is also considered in paragraph 11.12 below.
- 11.7 Although Policy H 2 is also referred to on behalf of the objector, I do not consider this to be directly relevant to the objection, because this policy concerns the identification of further housing land in the event that updated assessments of supply and demand indicate that additional land needs to be identified. There is in any event currently a surplus of housing land in the Dumbarton and Vale of Leven area.

### **The Green Belt**

- 11.8 I also refer to my conclusion in paragraph 3.15 of section 3 above that the only basis for the removal of land from the green belt in this local plan is where such land no longer meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development. With respect to the objection site, this is referred to in the green belt review as site 41a, which is described as a steep valley side to the west of Milton, constituting mainly grazing land with areas of scrubby woodland, and site 43 which is described as rough grazing land on the steep slopes of Dumbuckhill (to its west). The objection site also extends to the north outwith the areas covered within the green belt review.
- 11.9 I have no doubt that the whole of the objection site, on both sides of the quarry, meets all 3 objectives of the green belt as set out in paragraph 6 of SPP 21, and has an appropriate green belt use. Housing development on the objection site would be highly visible on the slopes leading up from the existing settlements, and would significantly and adversely affect the landscape setting of these settlements. In addition, housing development on the east side of the quarry would be likely to adversely affect the character of the small village of Milton.

- 11.10 I can see no requirement for site remediation or enhanced areas of open space. The quarry operations are not visible from the settlements on either side of the site. This is a large site, and I have therefore considered the possibility of allocating only part of the site for housing development. However, even if only part of the site (for example either to the east or west of the quarry) were identified for housing, the impact on the landscape setting of the relevant settlement would still be significant and adverse.
- 11.11 Identification of the whole site would also cause the coalescence of Milton and Dumbarton, although the visual coalescence between these settlements would be lessened by the shape of the objection site and its lack of continuity along the north side of the A82. If only part of the site were allocated for housing (either the east or west side), this would also reduce the perception of visual coalescence.

### **Accessibility**

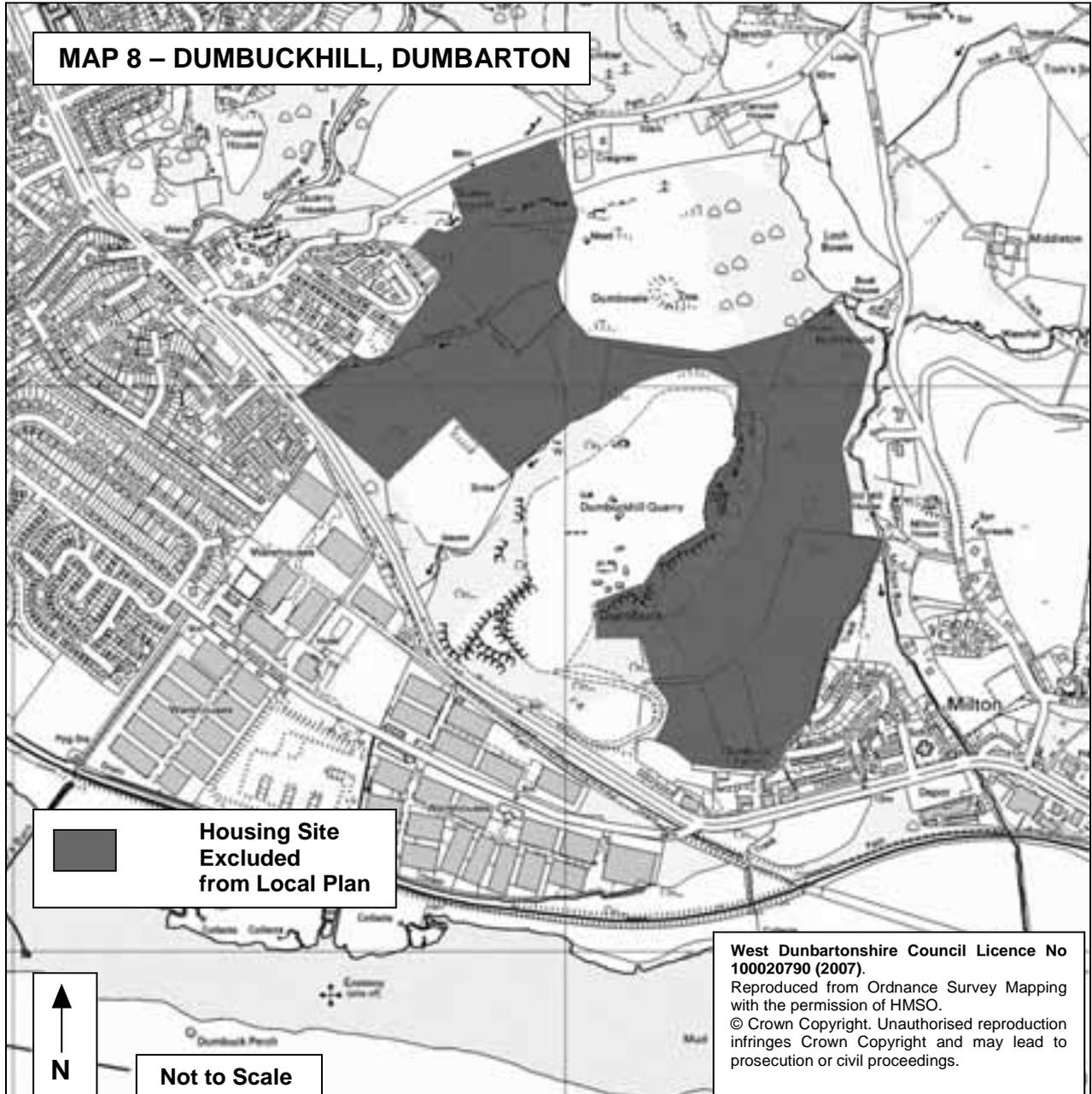
- 11.12 I accept the evidence on behalf of the council that there is a presumption against new accesses onto the A82 trunk road in the context of SPP 17. Otherwise, vehicular accesses would have to be formed from the residential access roads at the eastern edge of Dumbarton and at the western edge of Milton. Any major new housing development in either case would be likely to cause significant difficulties in relation to the capacity of the local roads, existing junctions and design constraints such as gradients and access for emergency vehicles.

### **Overall Conclusions**

- 11.13 In overall terms, I conclude that the objection site meets the objectives of the green belt, and that housing development thereon (even on only part of the site) would have a significant and adverse impact on the landscape setting of the settlements of Dumbarton and Milton. Such development would also have some adverse effect on the perception of visual coalescence between the settlements. This adverse environmental impact significantly outweighs any contribution that the site would make to the effective housing land supply. In addition, I conclude that housing development in this location would be likely to be detrimental to traffic safety on the local roads network.

### **RECOMMENDATION**

- 11.14 The site at Dumbuckhill, Dumbarton should be retained within the green belt and should not be included as a housing opportunity in Schedule H 1.**



**12 HOUSING OPPORTUNITY AND SPECIALISED ECONOMIC DEVELOPMENT SITE NORTH AND SOUTH OF A82 AT STRATHLEVEN, DUMBARTON**

**Policies GB 1, H 1 (Schedule H 1) and LE 5; further PIM 122: Housing Opportunity and Specialised Economic Development Site North and South of A82 at Strathleven, Dumbarton**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Walker Group/Strathleven Regeneration Company per James Barr**

**BACKGROUND AND SITE DESCRIPTION**

- 12.1 Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. A site to the east of the objection sites, south of the A82, is designated as housing opportunity H 1(11). Also to the east of the objection sites, Policy LE 5 of the local plan safeguards a site at Kilmalid north of the A82, which is separated into 2 areas and referred to as sites LE 5A(i) and LE 5A(ii), for industry/business and other uses which positively extend the permanent employment potential of the site, and the policy states that there will be a presumption in favour of developments which contribute to the high visual and landscape amenity of the site.
- 12.2 The objection sites are designated as green belt, in respect of which Policy GB 1 applies a general presumption against development, and are therefore not included in the appropriate schedules, or included on the proposals map, for either housing or industrial and business use. The objector seeks the designation of part of the site south of the A82 for housing as an extension to housing opportunity H 1(11) and the designation of part of the site to the north of the A82 for industrial and business use as an extension to site LE 5A(i). However, these objections have been conditionally withdrawn subject to the further PIM referred to in paragraph 12.6 below.
- 12.3 Both sites are shown on map 9 below, and constitute areas of agricultural land or rough grassland and scrub woodland north and south of the A82; the site to the north between the Kilmalid industrial/business site and the River Leven, and the site to the south between housing opportunity H 1(11) and the River Leven. The river, in addition to areas immediately adjacent to it, is designated as a local nature conservation site.

**SUMMARY OF CASE FOR OBJECTOR**

- 12.4 For **Walker Group/Strathleven Regeneration Company** it is submitted that the two objection sites on either side of the A82 form part of the regeneration programme being promoted for this part of Dumbarton by the objector. The southern area is located immediately west of housing opportunity H 1(11). The degree to which the land makes a positive contribution to the concept of a green belt is questionable, as it is the only pocket of green belt land between the housing site and River Leven. Residential development would make a positive contribution to the range and choice of the housing land supply

within the HMA. The containment of the site means that release for development would not lead to further pressures for green belt erosion. The site has previously been up filled and should be considered as brown field and a sequentially preferable location for development.

- 12.5 The area immediately north of the A82 should also be removed from the green belt and identified as an expansion for the allocated employment site to the east. The current settlement boundary to the west of site LE 5A(i) is robust enough. Landscape treatment of the western edge of both sites would, along with the River Leven and Murroch Burn, create a more robust green belt edge.

### **COUNCIL RESPONSE**

- 12.6 For **West Dunbartonshire Council** it is submitted that following negotiations with the objector, the following compromise position has been agreed: the area to the south will remain in the green belt, but site LE 5A(i) to the north will be extended to 25 metres from the Murroch Burn and to follow the 1 in 500 year flood contour. A requirement to create a landscaped buffer of at least 25m with tree/shrub planting along the western boundary outwith the site to create a strong green belt boundary and for a flood risk assessment will be referenced within Policy LE 5 and the reasoned justification (further PIM 122).

### **CONCLUSIONS**

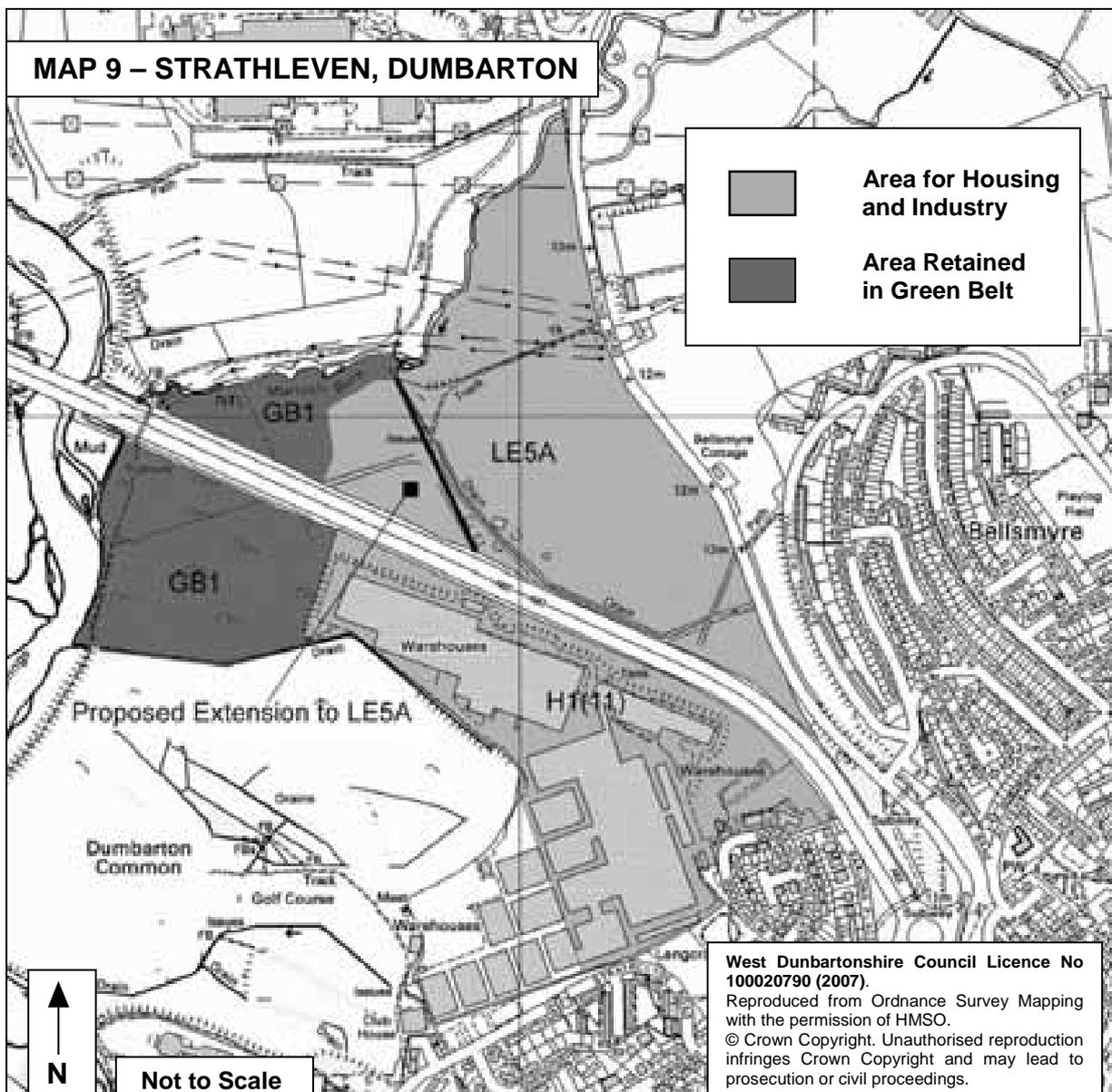
- 12.7 The objection sites are identified as sites 72 and 73 in the green belt review, and they meet green belt objectives and contain appropriate green belt uses. I agree with the assessment contained in the review, that the sites would be moderately susceptible to development owing to the flatness of the topography and their visibility from neighbouring residential areas.
- 12.8 Notwithstanding the above, the development of the site to the south of the A82 for housing would constitute a logical extension of the urban area up to the River Leven, which I accept would form a defensible green belt boundary. Housing development would be seen in the context of the new housing being built on opportunity site H 1(11) and the development of the Kilmalid site for industrial and business uses to the north of the A82. Nevertheless, it would significantly extend the urban area westwards, and in removing an area of natural woodland/grassland, have an adverse impact on the landscape setting of the western edge of Dumbarton to some extent.
- 12.9 On balance, particularly given that there is no requirement for further housing land in the Dumbarton and Vale of Leven HMA, I conclude that it would be more appropriate to retain this area (which links with the golf course to the south) as green belt, although the allocation of the site for housing may be reconsidered at some point in the future. Development of this site may also have an adverse impact on the local nature conservation site.
- 12.10 I also conclude however that the site to the north would be a logical and appropriate extension of the Kilmalid industrial and business site. The Murroch Burn would form a logical green belt boundary, and development would be seen against the backdrop of the existing urban area to the east. Development on the site should be able to avoid any adverse impact on the local nature conservation site to the west. In any event, I note the

provisions of further PIM 122 which seek to impose a landscaped buffer and require a flood risk assessment. On this latter point, I note the reference to extending the site only as far as the 1 in 500 year flood contour. Nevertheless, given that this is an undeveloped site, in the context of SPP 7 the council should be satisfied that the risk of flooding is not a constraint to the development of the site through consultation with SEPA if necessary.

## RECOMMENDATIONS

**12.11 The site to the south of the A82 should be retained within the green belt under Policy GB 1.**

**12.12 The site to the north of the A82 should form an extension to site LE 5A(i) (with the remainder being retained in the green belt) as shown on map 9 below, in accordance with further PIM 122. However, the council should be satisfied that the risk of flooding is not a constraint to development of the site through consultation with SEPA if necessary.**



**13 HOUSING OPPORTUNITY SITE AT STIRLING ROAD, BONHILL**

**Policies GB 1 and H 1 (Schedule H 1): Housing Opportunity Site at Stirling Road, Bonhill**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Barratt West Scotland per Keppie Planning**

**BACKGROUND AND SITE DESCRIPTION**

- 13.1 This site is designated as green belt in respect of which Policy GB 1 applies a general presumption against development. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. This site is not included in the appropriate schedule and is not designated as a housing site on the relevant proposals map. The objector seeks the removal of the site from the green belt and its inclusion for housing within Schedule H 1.
- 13.2 The site is shown on map 10 below, and mostly constitutes a large area of agricultural pasture land between the A83 Stirling Road and housing development at Beechwood Drive and Murroch Crescent. The site rises substantially from the A83 towards the eastern boundary, and in particular to a high point within the south eastern part of the site. The majority of the site is generally contained by existing development and higher agricultural land to the south. The eastern and northern parts of the objection site are however woodland areas designated as a local nature conservation site in the local plan. There is also a recreation area comprising playing fields and what appears to be a disused rugby club building in the north eastern part of the site, accessed from Beechwood Drive.

**SUMMARY OF CASE FOR OBJECTOR**

- 13.3 For **Barratt West Scotland** it is submitted that the site could be developed for residential purposes without compromising the function of the green belt and would in fact strengthen the boundary and ease inappropriate pressure on the green belt. An indicative master plan has been submitted to demonstrate how the site could be so developed. The proposed housing site would contribute to improved housing choice in the Vale of Leven area and ensure housing targets for West Dunbartonshire are achieved.

**COUNCIL RESPONSE**

- 13.4 For **West Dunbartonshire Council** it is submitted that the site has been assessed as part of a strategic review of the green belt, and meets all three green belt objectives. The site has a wide, well defined and enduring inner boundary and any development on the site would be extremely visible. There is no strategic requirement for the release of any additional housing land, and the existing supply is capable of providing a full range of market choice. There remains an emphasis on the redevelopment of brown field sites.

## CONCLUSIONS

### Housing Land

- 13.5 I firstly refer to my conclusion in paragraph 3.11 above that there appear to be more green field opportunities for housing development than exist in the Clydebank area, and therefore whilst I would not necessarily rule out further limited green field release for housing, I conclude that there is no demonstrated case for additional green field sites in Schedule H 1.
- 13.6 In any event, the allocation of the objection site for housing, whilst contributing to the effective land supply and improved housing choice in the Vale of Leven, would constitute a fairly substantial green belt release extending to some 150 houses, and would generally be beyond what I would consider appropriate for the Vale of Leven at the present time. Nevertheless, issues relating to the green belt, the impact of housing development on the landscape setting of Bonhill and potential coalescence are considered commencing in paragraph 13.7 below.

### The Green Belt

- 13.7 I also refer to my conclusion in paragraph 3.15 of section 3 above that the only basis for the removal of land from the green belt in this local plan is where such land no longer meets the objectives of the green belt, and/or contains a use that is not appropriate within a green belt, and/or it is considered appropriate to designate the land for housing or another form of development.
- 13.8 With respect to the objection site, this is referred to in the green belt review as sites 56 and 57, which are part of a wider area described as being rural/urban fringe land on a hillside on the eastern side of the Vale of Leven. I agree with the conclusions of the green belt review that sites 56 and 57 meet all 3 green belt objectives as stated in paragraph 6 of SPP 21 and have appropriate green belt uses; being either agricultural fields, recreational open space or woodland with some informal recreation use.
- 13.9 With respect to the potential for housing development on the objection site, I accept that the indicative master plan has been well thought out, with proposed development only on the northern part of the site, between the A83 and the woodland to the west of the housing on Beechwood Drive. The proposed area for development is shown on map 10 below. The visual impact of housing development would be minimised by the retention of the woodland to the north and east and the avoidance of development on the more prominent southern part of the site.
- 13.10 Furthermore, the infilling of the area between the housing on Beechwood Drive and the A83 could be seen as a logical development of the settlement of Bonhill, and I accept that a new defensible boundary to the green belt could be created along the southern edge of the objection site. I note from the council's evidence that there is a core path running along the southern boundary of the objection site.
- 13.11 However, and notwithstanding its containment by the higher land to the south, the land rising to the east of the A83 immediately south of the roundabout junction with Strathleven Drive is highly visible when travelling south or north along the A83, and

housing thereon would be seen as a significant intrusion into the existing countryside, particularly since the existing housing to the east is screened by the topography and the woodland, and therefore new development would not be seen in the context of this existing housing development.

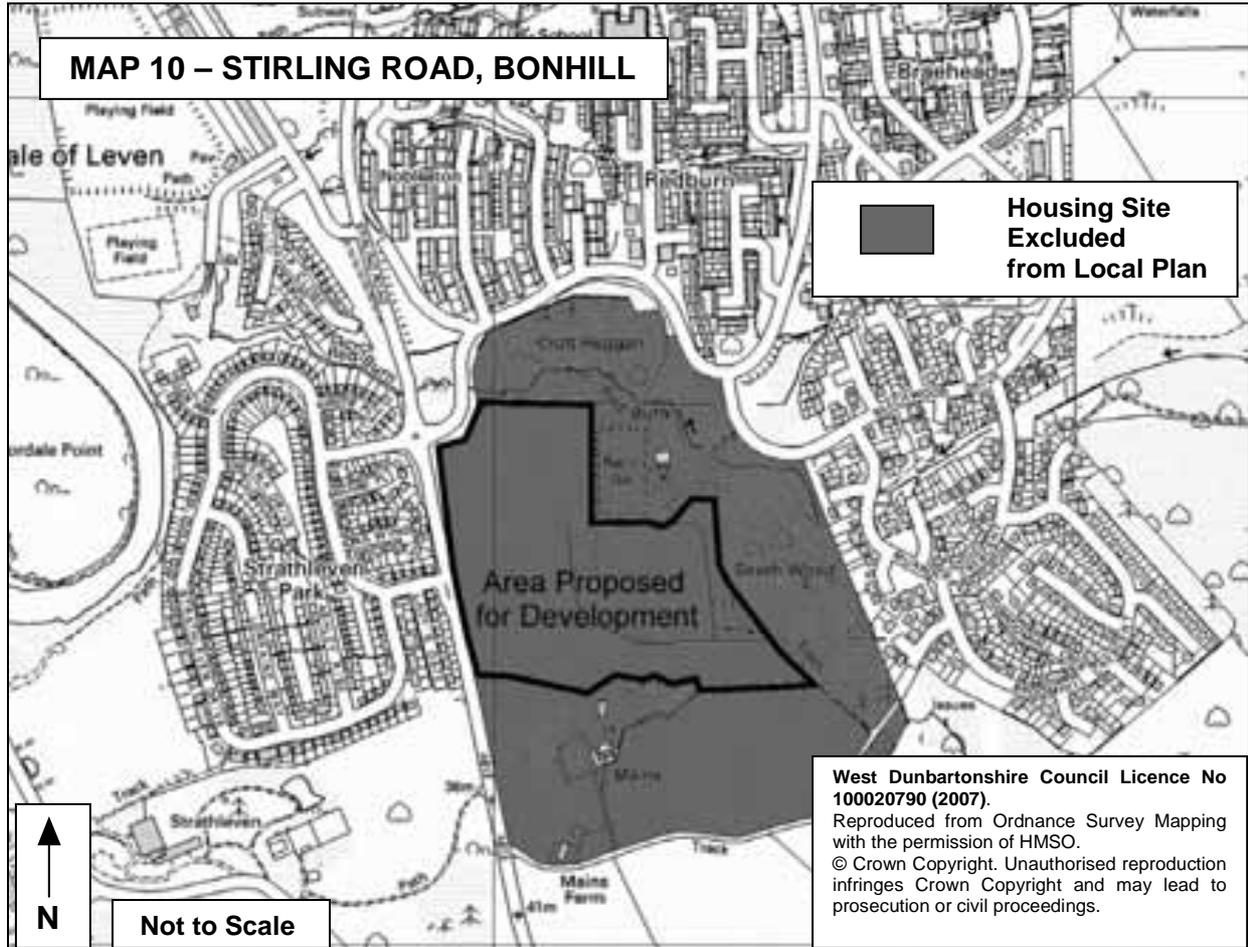
- 13.12 I therefore find that new housing development, even in the manner proposed in the indicative master plan, would have an adverse impact on the landscape setting of the southern edge of Bonhill. In addition, there may be some adverse impact on the local nature conservation site. The playing fields on the site appear to extend beyond the area shown on map 10 below, and into the area proposed for development. This is really a matter for subsequent detailed consideration if the site is included for housing in the local plan. However, in the context of my finding in paragraph 13.6 above, I also find that the release of this green belt site for housing could not be justified at the present time.
- 13.13 I am not however convinced by the council's arguments relating to coalescence. There is already coalescence between Bonhill and Dumbarton along the A83; essentially caused by the industrial and business development sites along the western side of the A83. I appreciate that on the eastern side of the A83 new development on the objection site may be seen to exacerbate the existing coalescence between the 2 settlements, but on balance I do not find this to be a significant factor weighing against the allocation of the objection site for housing development.

### **Overall Conclusions**

- 13.14 In overall terms, I conclude that the objection site meets the objectives of the green belt, and that housing development thereon would have an adverse impact on the landscape setting of the southern edge of Bonhill. This adverse environmental impact significantly outweighs any contribution that the site would make to the effective housing land supply.

### **RECOMMENDATION**

- 13.15 The site at Stirling Road, Bonhill should be retained within the green belt and should not be included as a housing opportunity in Schedule H 1 of the local plan.**



**14 REDEVELOPMENT OPPORTUNITY AT ERSKINE FERRY ROAD, OLD KILPATRICK**

**Policy GD 2 (Schedule GD 2) and Opportunity GD 2(7): Redevelopment Opportunity at Erskine Ferry Road, Old Kilpatrick**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**SNH**

**BACKGROUND AND SITE DESCRIPTION**

- 14.1 Policy GD 2 encourages redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses, and sites for such opportunities are listed in Schedule GD 2 with the proposed uses for the site. This site is included in Schedule GD 2 as redevelopment opportunity site GD 2(7) for industrial, business and residential use. SNH objects to this allocation because it wholly overlaps with a designated SINC.
- 14.2 The site is shown on map 11 below, and occupies the line of a former railway to the east of existing industrial uses and to the west of the A814 and Forth and Clyde Canal in Old Kilpatrick. It is a narrow strip of land which appears to be currently unused but has regenerated naturally into an area of scrub woodland/grassland. No existing access is provided into the site, which is fenced off from the existing industrial uses to the west. The whole of the site is designated a SINC under Policy E 3A of the local plan.

**SUMMARY OF CASE FOR OBJECTOR**

- 14.3 For **SNH** it is submitted that the site corresponds with part of the disused railway line SINC, the status of which is upheld in the draft nature conservation study. It is stated that while there may be scope for some development at a lesser scale, the comprehensive redevelopment required by Policy GD 2 could require very significant loss of SINC habitat, contrary to Policy E 3A. The objection may however be reviewed in the light of the final nature conservation study.

**COUNCIL RESPONSE**

- 14.4 For **West Dunbartonshire Council** it is submitted that the nature conservation value of the site is particularly important due to the continuous linear habitat linking the Saltings to the centre of the urban area. The adopted local plan identifies the site for residential development, and SNH did not object, accepting that the nature conservation value of the site could be protected by the development control process. The GD 2 designation allows for ecological and green space uses. A limited development incorporating such uses and safeguarding the wildlife corridor would preserve the integrity of the SINC and not be contrary to Policy E 3A.

## CONCLUSIONS

- 14.5 I note that this site is identified for housing in the current adopted local plan. Generally, and for the sake of consistency, it is better to continue housing sites from existing local plans. This is now a redevelopment opportunity rather than a housing opportunity, and it includes industrial and business uses as being appropriate for the site. However, it is a small site and it appears unlikely to me that the site could be developed for multiple uses. I therefore regard the uses identified as probably being alternative uses. It appears to me that housing is still the most likely use for the site. Nevertheless, the designation of the site for housing in the existing adopted local plan is not an overriding consideration, because this is a replacement local plan, and sites in the existing adopted local plan not yet committed are subject to review. The key issue to consider in relation to this objection is whether or not the integrity of the SINC is likely to be compromised.
- 14.6 The council actually refers to the nature conservation value of the site being particularly important due to the continuous linear habitat linking the Saltings to the centre of the urban area. Whilst it may be possible to retain a continuous link when developing the site, it appears to me that the size and shape of the site is such that this would be very difficult to achieve. I consider that any development of the site is unlikely to preserve the integrity of the SINC in the context of Policy E 3A. The current condition of the site is such that it enhances rather than detracts from the amenity of the area.
- 14.7 On balance, I conclude that there is no requirement to retain the designation of the site either for housing or redevelopment. Unless the final nature conservation study reduces the importance of the SINC, which appears to be to be unlikely, I conclude that the most appropriate course of action is to delete this opportunity site from the local plan, and instead designate the site as open space under Policy R 1, thus maintaining the continuous linear habitat of which the site forms part.

## RECOMMENDATION

- 14.8 The site at Erskine Ferry Road, Old Kilpatrick, opportunity GD 2(7), should be deleted from Schedule GD 2 of the local plan and the site should be designated as open space under Policy R 1.**



**15 REDEVELOPMENT OPPORTUNITY AT THE BOWLING BASINS, BOWLING**

**Policy GD 2 (Schedule GD 2) and Redevelopment Opportunity Site GD 2(10), Policies T 2 and T 3 (Schedule T 3): Redevelopment Opportunity at the Bowling Basins and Proposed Link Road extending the A814**

**OBJECTOR AT HEARING**

**For Bowling and Milton Community Council:  
Mr Jim Thomson, Planning Convenor  
Mr Francis McNeil, Chairperson**

**WEST DUNBARTONSHIRE COUNCIL**

**For West Dunbartonshire Council:  
Mr Alan Williamson, Section Head, Forward Planning & Regeneration, WDC  
Mr Peter Morris, Planning Officer, WDC  
Ms Moira Clark, Planning Officer, WDC**

**WRITTEN SUBMISSIONS**

**Clydebelt**

**BACKGROUND AND SITE DESCRIPTION**

- 15.1 Policy GD 2 encourages redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses including ecological and green space uses, and sites for such opportunities are listed in Schedule GD 2 with the proposed uses for the site. This site is included in Schedule GD 2 as opportunity site GD 2(10) for residential, leisure, commercial, tourism and small scale ancillary retail uses. At the hearing it was confirmed that the residential component is likely to be the most significant of these uses in the redevelopment of the site, extending to around 90 houses, with the other uses possibly including a hotel and some expansion of the existing commercial/tourism uses in the northern part of the site. It was also confirmed that extensive open space is likely to be retained as part of a green network through the area.
- 15.2 Policy T 2 refers to access improvements and states that opportunities for such improvements will be identified. There is particular reference to opportunities to develop an alternative route to the A82 at Bowling/Milton by extending the A814. Policy T 3 then lists transport schemes, and within Schedule T 3 (medium term transport projects of 5 to 10 years) the provision of a link road from the A814 at Bowling to the A814 at Dumbuck is listed.
- 15.3 The objectors primarily seek the deletion of the housing element from the site, although there are also concerns about other matters. In addition, the objectors seek an alteration to Policy T 2 (and therefore also Policy T 3 and Schedule T 3) in order to clarify the nature of, or delete the link road proposed.
- 15.4 The site is shown on map 12 below, and contains the route of the Forth and Clyde Canal and 2 basins, which are currently used for the mooring of boats. To the north of the canal

there is an access roadway, a car park and some existing houses. There is also a boatyard in the eastern part of this area. To the south of the canal is a footpath extending to the eastern boundary of the site, and south of this footpath up to the shoreline is an area of naturally regenerating, unmanaged scrub woodland.

- 15.5 A former railway line traverses this area, which is raised from but blends into the woodland area to the east. To the west, the line of the former railway is on a viaduct over the canal, and to each side of the canal there are a number of arches some of which are in use for commercial or storage purposes, and others appear unused. One of the arches gives access to the area of woodland to the south of the railway line, through which there are a number of footpaths extending as far as the shoreline.

### SUMMARY OF CASE FOR OBJECTORS

- 15.6 For **Bowling and Milton Community Council** it is submitted that the GD 2(10) site at the Bowling Basins is contrary to SPP 3 (revised 2008) and would have an adverse cumulative effect on Bowling and promote coalescence. Site GD 2(10) is also considered contrary to NPPGs 11, 14 and 18 and is inconsistent with Policies RD 1, RP 1, SUS 1, BE 2 and BE 5 as well as policies in the West Dunbartonshire Community Plan. The local community opinion regards the emerging woodland east of the canal basins as a valued natural resource asset, and woodland retention is supported by NPPGs 11 and 14.
- 15.7 The site is considered to be within a SPA/Ramsar site, has listed buildings and a scheduled monument. The proposed housing would also irreversibly undermine the village's potential for sustainable development based on leisure, recreation and tourism provision. The objectors consider that the GD 2(10) designation should exclude residential development.
- 15.8 There is concern about the A82/A814 Dumbuck junction and traffic flow through Bowling. It is indicated that any congestion on the A82 results in gridlock through Bowling village. However, the objector supports the proposed link road from Dumbuck to the A 814 at Bowling conditional on this link road not extending beyond the vicinity of the Highland Fuels Depot entrance.
- 15.9 For **Clydebelt** it is submitted that the GD 2(10) site at Bowling Basins is incompatible with Policy E 2 as the landfill required would remove all the vegetation and trees on the site which is considered to be part of a SPA/Ramsar site. The designation would also be contrary to Policies BE 2 and BE 5 as the listed buildings on the site and the Forth and Clyde Canal and Antonine Wall scheduled monuments would be adversely affected. Any residential development on the site would prevent suitable recreation and tourist development at this canal gateway and is contrary to NPPG 18.
- 15.10 The objector considers the extension of the A814 between the Dumbuck and Dunglass junctions as indicated in Policy T 2 would adversely affect the green belt, woodlands and parklands or the international nature conservation site. The aspiration is therefore regarded as unrealistic.

## COUNCIL RESPONSE

- 15.11 For **West Dunbartonshire Council** it is submitted that the GD 2(10) site at the Bowling Basins does not encroach on the Inner Clyde SPA and the appropriate assessment for the local plan indicated that mitigating measures could be carried out to allow the development of the site. This has been accepted by SNH which is not objecting to the GD 2(10) allocation. The residential element of the site would facilitate the redevelopment and improvement of the area for leisure and tourism purposes and would add an element of surveillance to the canal area.
- 15.12 The site is brown field and the trees on the site are not considered to be of significant nature conservation value. The land raising necessary on the site is not contrary to SPP 7 and the development of the site would be compatible with the heritage interests in compliance with NPPG 18. The landscape setting of the village of Bowling would not be adversely affected by the development of the GD 2(10) site which is on the edge of the village. The GD 2 designation on the site is also not contrary to the community plan statements on natural heritage and resources.
- 15.13 The proposed link road between the A814 roads in Dumbarton and Bowling is an aspiration and the route proposed has not been fully investigated. The link at Bowling would be in the area of the existing access to the former ESSO Bowling site and would not extend further eastwards into the village. The link is to benefit the economy of West Dunbartonshire by avoiding congestion when there is an obstruction on the A82 and this would also help congestion problems within the village when this happens.
- 15.14 The route would avoid encroaching on the Inner Clyde SPA and the appropriate assessment indicates that mitigating measures are possible to ensure no adverse environmental impact. The route is also not expected to affect the woodland retention areas adjacent to the A82. The link road is supported by the structure plan, the regional and local transport strategies and is in keeping with SPPs 17 and 21 and NPPG 14. The route would be subject to all the necessary economic, traffic and environmental assessments including trunk road STAG appraisal and is expected to meet all the requirements brought out by such assessments.

## CONCLUSIONS

### **The Context for the Development of the Site**

- 15.15 Although the site is defined as being brown field by the council, at the hearing it was accepted that this essentially relates to the existing uses (where any intensification of these uses would be brown field development in terms of the definition in the revised SPP 3), the line of the former railway and the arches underneath the viaduct, and areas of the site which show evidence of the establishment of former railway sidings. I therefore find that whilst there are elements of the site's proposed development that would constitute brown field development, a significant proportion of the development would be on previously undeveloped land, which is now naturally regenerated scrub woodland.
- 15.16 Notwithstanding the above, the site lies within the urban area of Bowling and is not green belt. The existing open space on the site, whilst this is important in the context of maintaining green networks as set out in paragraph 18 of SPP 11, is nevertheless an

urban open space. In this context, Policy LE 6 of the local plan applies to the site because it identifies Dumbarton (including Bowling) as being within a CEDA in the context of Strategic Policy 5 of the GCVSP. In addition, housing development, whilst not being directly relevant to Policy LE 6, may be acceptable in the context of the site being partly brown field and within the urban area. It would clearly be more sustainable than housing development in the green belt. I therefore find that the development of the site for the uses specified in Schedule GD 2 would accord with the strategic policy framework.

- 15.17 In addition, whilst I appreciate that Bowling and Old Kilpatrick are seen as separate by the local community, and I also accept that the A814 actually runs through the green belt for a short distance between the 2 settlements, the urban area to the south of the railway line already runs from one to the other and there is no green belt in between, only a small amount of urban open space. I therefore find that the development of the site would not give rise to any adverse environmental consequences from the coalescence of settlements. Furthermore, I find that there is no significant issue relating to the landscape setting of Bowling; the site is already within an urban area and it is more a question of maintaining a green network through the area related to the canal use, than protecting the landscape setting of the village.
- 15.18 Having set the context above, however, the site is clearly sensitive to development, in terms of maintaining the character of the village of Bowling and in protecting the natural and built heritage, in respect of which a number of more detailed issues are examined below. I therefore find that whilst the principle of the development of the site accords with the strategic policy framework, further consideration needs to be given to the scale of development that would be appropriate for the site, and how this may be reflected in Policy GD 2 and/or the reasoned justification for this policy. Given that the site is not a former industrial site or part of the schools estate in the local plan, a separate paragraph specifically related to site GD 2(10) may be considered appropriate.

### **The Character of the Village**

- 15.19 I sympathise with the concerns of the local community about the extent of new housing development, both recently constructed and proposed within the village. There is already significant housing development in the village through opportunity site H 2(1), and other windfall sites in the vicinity, this being mainly flatted housing development. In addition, residential use is included in the redevelopment of site GD 2(11) and site LE 4, the latter through PIM 19. There is therefore a significant amount of new housing recently constructed and proposed in the area.
- 15.20 However, in terms of the influx of residents to Bowling, a further 90 houses would not make a significant difference. In addition, in terms of the physical fabric of the village, 90 houses on the objection site would be a very low density housing development, where substantial open space and screening could be provided. Such housing development is already designated for a much smaller area in the adopted local plan. In addition, the site is quite well separated in physical terms from the main built up area of the village to the west of the site. I find that the scale of development envisaged for the site would not have a significantly adverse effect on the character of the village.

## **The Nature Conservation Value of the Site**

- 15.21 I am conscious that the majority of the site is an area of naturally regenerating scrub woodland, and there is no doubt in my mind that this will provide a habitat for local wildlife species to some extent. I also appreciate that this natural resource is valued by the local community. However, the area has been examined on behalf of SWT, and notwithstanding that SWT states in a letter to the community council that it should be protected from development, the area is not considered to be of sufficient value that it should be designated as an extension to the SINC to the east of the site.
- 15.22 In addition, SNH does not object to the principle of development on the site, but rather states that the scale of development should be controlled, and strongly recommends that the justification for development draws attention to the need to retain and enhance certain areas of natural habitat, and retain and enhance access routes within the site. I therefore find that although the site has nature conservation value, and that such should be retained where possible in any development of the site, its development for housing or other purposes is not precluded by its nature conservation value.

## **The Inner Clyde SPA**

- 15.23 The site is adjacent to, but does not extend into, the Inner Clyde SPA. I am satisfied that the SEA includes the objection site as part of its assessment of development opportunities. In addition, there is an appropriate assessment of the potential effects of development on the Inner Clyde SPA, and it is concluded that whilst there are likely to be significant effects on the qualifying interests of the SPA, the assessment of the plan's policies and proposals (the latter being development opportunities in this local plan), together with appropriate safeguarding mechanisms, indicate that the plan will not have significantly adverse effects on the integrity of the SPA.
- 15.24 Appendix 1 of the appropriate assessment lists the potential effects and mitigating measures relating to site GD 2(10). Furthermore, I am conscious that an appropriate assessment will be required in relation to any specific development proposal for the site, before planning permission is granted. I therefore find that the interests of the Inner Clyde SPA have been satisfactorily addressed in the designation of the site for development within Schedule GD 2.

## **Scheduled Monuments and Listed Buildings**

- 15.25 A plan and associated schedule have been produced by the council, showing that the canal and its 2 basins is a scheduled monument, and that the 2 basins and associated locks/entrances are category "B" listed buildings. The drawbridge and the swing bridge (connecting either side of the viaduct) over the canal are also category "B" listed buildings, as is the customs house (to the west of the viaduct).
- 15.26 There is therefore a substantial built heritage on the site which requires protection, and the provisions of SPP 23 (which has superseded NPPG 18) are relevant here. In particular paragraph 27 states that local plans should ensure that new development is accommodated without damaging the character of the historic environment. However, there are policies in the local plan which relate to listed buildings and scheduled monuments, these being Policies BE 2 and BE 5. In any event, the scheduled monument

and listed buildings within the site are within that area likely to be more relevant to the expansion of existing commercial and tourism uses within the site, rather than the new housing development.

- 15.27 Notwithstanding the above, I appreciate that there was an earlier proposal to use the former railway line on the viaduct as an access to any residential development within the site, and clearly such would have to respect both the character and setting of the category “B” listed swing bridge and the canal, which is a scheduled monument. I am satisfied that housing development could proceed on the site in this context, but further consideration may be given to the extent to which the character and setting of the scheduled monument and listed buildings within the site need to be referred to in the reasoned justification. Although Clydebelt has referred to the Antonine Wall, which is a scheduled monument of international importance, I am satisfied that this and its buffer zone is sufficiently distant from the site that this scheduled monument and its setting would not be adversely affected by any development on site GD 2(10).

### **Risk of Flooding on the Site**

- 15.28 I am conscious that a small part of the development site lies within an area with a risk of flooding from a 1 in 200 year event, and is therefore part of a functional flood plain. A flood risk assessment would be required for any development on the the site. However, the risk framework in SPP 7 allows for the development of such sites in built up areas as part of a long term development strategy, and in the circumstances relating to the objection site, the council may be satisfied that land raising, which is also referred to in paragraph 19 of SPP 7, is an appropriate planning response. However, this should not undermine the need to retain some natural habitat on the site. Again further consideration may be given to the extent to which this should be referred to in the reasoned justification.

### **Link Road between the A814 at Bowling and the A814 at Dumbuck**

- 15.29 I note the evidence on behalf of Clydebelt expressing concern about this link road traversing an area of green belt and/or the Inner Clyde SPA between Bowling and Dumbarton. However, with respect to the latter, I note that an appropriate assessment has already been carried out as part of the SEA, and I am convinced by the council’s evidence that traversing the SPA can be avoided. The impact on the objectives of the green belt would be minimal.
- 15.30 Evidence was given on behalf of the community council at the hearing that it supports the principle of this link road, and that it is simply a question of being assured that it would not extend further into Bowling than the entrance to site LE 4 near the Dunglass Roundabout. Subject to an addition to Schedule T 3 along these lines, the objection on behalf of the community council would be addressed.

### **Overall Conclusions**

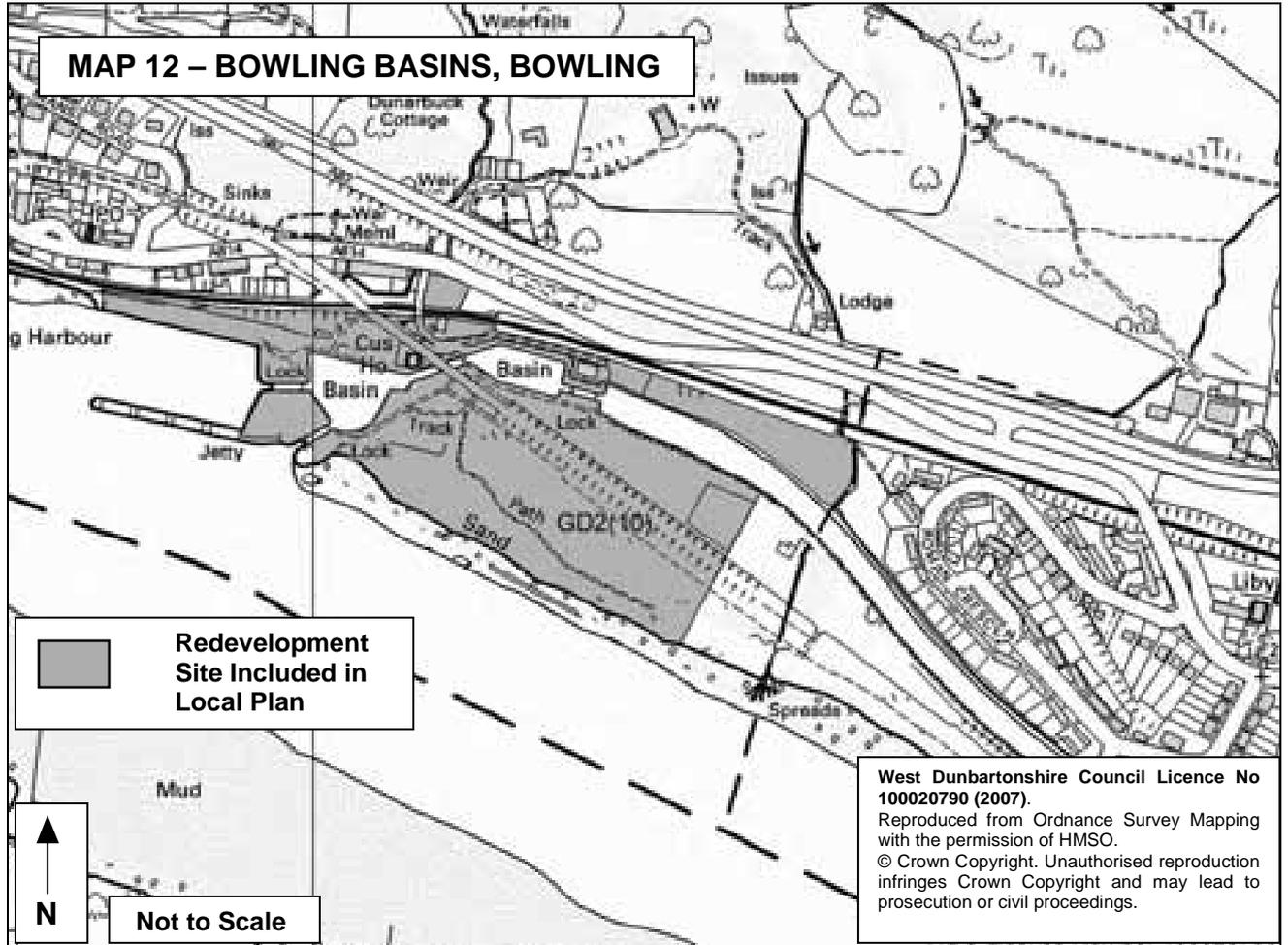
- 15.31 In overall terms, I conclude that the development of the site for the uses specified in Schedule GD 2 would accord with the strategic policy framework. I also conclude that residential development in the order of 90 dwellings, and some form of new commercial development (such as a hotel) and the tourism or commercial expansion of existing uses

(including ancillary retail uses) would constitute an appropriate scale of development. However, this should be specified in the reasoned justification to ensure that development beyond what would be appropriate for the site does not occur.

- 15.32 Furthermore, areas of natural habitat should be retained, possibly in addition to the creation of more formal areas of open space. In this context, reference to areas of open space including the retention of some natural habitat should be added to the proposed uses in Schedule GD 2, and this should be further specified in the reasoned justification.
- 15.33 The reasoned justification should also refer to the need for the character and setting of the canal, as a scheduled monument, and listed buildings on the site to be respected in any development proposal for the site. In addition, it should refer to the need for a flood risk assessment, and that any land raising in this context should not undermine the retention of areas of natural habitat on the site. Given that the site is not a former industrial site or part of the schools estate, a separate paragraph specifically related to opportunity site GD 2(10) would be appropriate within the reasoned justification.
- 15.34 I finally conclude that the proposed link road should be retained in Schedule T 3, subject to incorporation of the likely termination of the link road within Bowling.

### RECOMMENDATIONS

- 15.35 **The site at the Bowling Basins should be retained as redevelopment opportunity GD 2(10) in Schedule GD 2 for the uses already specified, with the addition of “open space including the retention of some natural habitat” after small scale ancillary retail.**
- 15.36 **A new paragraph should be added to the reasoned justification after paragraph 4.7 in similar terms to the following:**
- “In addition, a site at the Bowling Basins, which lies within the built up area but includes a significant area of naturally regenerating woodland, is appropriate for mixed use redevelopment. Residential development (indicative figure of 90 houses), commercial development (such as a hotel), commercial and tourism expansion of existing uses (including ancillary retail uses) and open space will be appropriate for the site. The open space should include retention of some areas of natural habitat. The character and setting of the canal, which is a scheduled monument, and listed buildings on the site, shall be respected in any proposal for development. A flood risk assessment will be required, and any land raising should not undermine the retention of areas of natural habitat on the site”.**
- 15.37 **The link road from A814 Bowling to A814 Dumbuck should be retained in Schedule T 3, subject to the addition of: “terminating in Bowling no further east than the entrance to the former Esso site designated under Policy LE 4”.**



**16 REDEVELOPMENT OPPORTUNITY AT DUMBUCK WAREHOUSES, DUMBARTON**

**Policies LE 1 and GD 2 (Schedule GD 2) and Opportunity GD 2(13): Redevelopment Opportunity at Dumbuck Warehouses, Dumbarton**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Allied Distillers per Gerald Eve**

**BACKGROUND AND SITE DESCRIPTION**

- 16.1 Policy LE 1 of the local plan refers to industrial and business use sites, and states that within the existing and proposed industrial and business class sites designated on the proposals map, there shall be a presumption in favour of uses which positively extend the permanent employment potential of the sites. Policy GD 2 encourages redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses, and sites for such opportunities are listed in Schedule GD 2 with the proposed uses for the site.
- 16.2 Whilst no map of the objection site has been provided, I assume that the objector is seeking the whole of the Dumbuck warehouses, south of the A82 and on both sides of the A814 Glasgow Road, as a redevelopment opportunity site under Policy GD 2. The assumed objection site is shown on map 13 below and currently comprises an extensive complex of warehouses, with only a hotel interrupting the warehouse uses to the north of Glasgow Road.
- 16.3 Part of the site to the south of Glasgow Road, which includes a significant area of vacant land as well as operational warehouses, is identified as a redevelopment opportunity site under Policy GD 2 and is thus included within Schedule GD 2 of the local plan as site GD 2(13) for residential, business and industrial uses. The remainder of the site is designated as an existing industrial use under Policy LE 1. The whole complex of warehouses is designated as a CEDA in the context of Strategic Policy 5 of the GCVSP.

**SUMMARY OF CASE FOR OBJECTOR**

- 16.4 For **Allied Distillers** it is submitted that the release of the Dumbuck Warehouse sites will be phased. It is anticipated that any HSE objection regarding consultation distances would be dealt with during the phased release of the sites. It should be recognised that all sites could come forward within the plan period.
- 16.5 The council has stated that discussions with the agent acting on behalf of the objector have indicated that the bonds could become available within the next 5 years but that the review of the bonded warehouse estate had not been concluded. The objector is looking for flexibility and considers that the whole site could be developed more effectively creating a new eastern entrance to Dumbarton.

## COUNCIL RESPONSE

- 16.6 For **West Dunbartonshire Council** it is submitted that there is no evidence that the Dumbuck Warehouse complex currently designated under Policy LE 1 is likely to cease to be operational during the plan period. Recent planning consents for the re-roofing of the warehouse units and for a pump house would appear to suggest otherwise. There is no requirement for additional housing which would result from the objector's proposed housing led mixed use redevelopment opportunity. Such would be contrary to both SPP 3 (revised 2008) and the GCVSP.
- 16.7 A housing led redevelopment opportunity for the whole site would also be contrary to the GCVSP with regard to the urban renewal priorities, the CEDA designation and transportation issues. The objector has not submitted any evidence on the likely impact of residential led mixed use on traffic generation and its effect on the A82/A814 Dumbuck junction. The designation of the whole of the Dumbuck Warehouse site under Policy GD 2 would therefore be premature. In addition the loss of employment land beyond the plan period could be an issue if industrial land take-up increases as expected.

## CONCLUSIONS

### Housing Land Supply

- 16.8 I acknowledge that there is no requirement for additional housing land in the Dumbarton and Vale of Leven HMA. Whilst I accept that housing development on the objection site would constitute the redevelopment of brown field land where the site becomes surplus to requirements, a housing led redevelopment of the whole site would be likely to exacerbate the surplus of housing land that already exists in the area. In any event, housing development would only accord with the metropolitan development strategy if there is no longer a requirement for the site as part of the industrial/business land supply in the context of Strategic Policy 5 of the GCVSP.

### Industrial/Business Land Supply

- 16.9 Strategic Policy 5 of the GCVSP requires the economic competitiveness of the metropolitan area to be supported through a number of measures, including the promotion of CEDAs. The objection site lies within a designated CEDA, and therefore a key issue for consideration is whether or not the objection site is still required as part of the existing industrial/business land supply under Policy LE 1 of the local plan.
- 16.10 I am conscious that part of the site is vacant land, but this lies within the area that is already designated as redevelopment opportunity site GD 2(13) in the local plan. Even this site has currently operational warehouses, although the council obviously accepts evidence it has obtained that these will be surplus to requirements within the plan period. The remainder of the site appears to be fully operational, and I would not regard the desire for flexibility as sufficient to justify the loss of all of this land from the industrial/business land supply. I agree with the council there could be substantial implications beyond the local plan period if the whole site is lost from industrial/business land supply.

**The Suitability of the Site for Redevelopment**

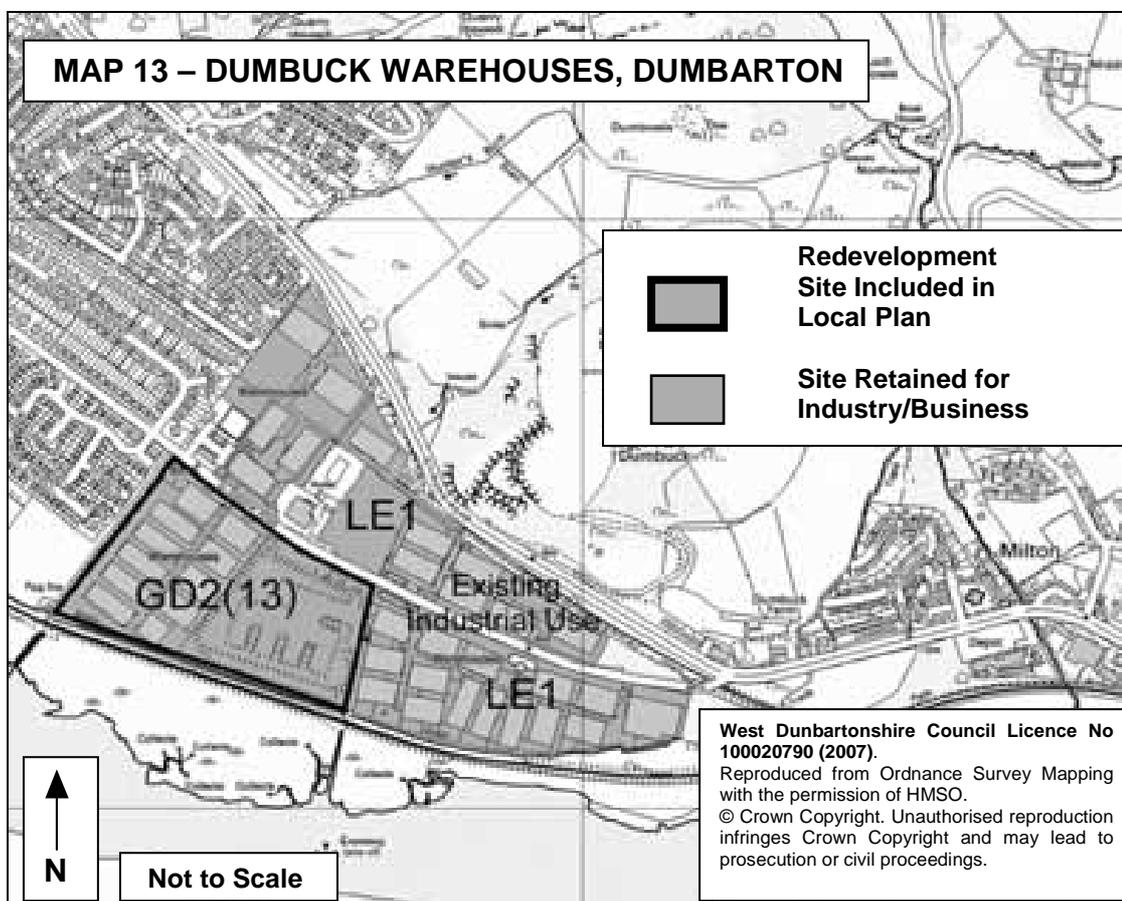
16.11 I accept that a housing led redevelopment opportunity could enhance the local environment, and improve the appearance of the urban edge of Dumbarton when approaching along the A82 or the A814 from the east. However, there are substantial uncertainties at the present time in relation to the overall uses likely to take place on the site should it be redeveloped, and in particular the transportation implications and the effect of significantly increased traffic generation onto the A82 trunk road. These uncertainties outweigh the potential environmental improvement that may occur.

**Overall Conclusions**

16.12 Taking all of the above into account, I find that the existing use of the remainder of the site, following the exclusion of opportunity site GD 2(13), justifies its retention as part of the industrial/business land supply under Policy LE 1. Given also the uncertainties relating to traffic generation on the A82 trunk road, there is no justification for extending redevelopment opportunity GD 2(13) to the remainder of the site at the present time.

**RECOMMENDATION**

16.13 **The site at Dumbuck Warehouses, Dumbarton, with the exception of the area designated as redevelopment opportunity GD 2(13) which should remain as shown on map 13 below, should be retained within the existing industrial/business land supply under Policy LE 1, and should not be included as a redevelopment opportunity in Schedule GD 2.**



**17 REDEVELOPMENT AND HOUSING OPPORTUNITIES AT BANK STREET AND KIPPEN DAIRY, ALEXANDRIA**

**Policies GD 2 and H 1 and Opportunities GD 2(18) and H 1(1); further PIM 129: Redevelopment and Housing Opportunities at Bank Street and Kippen Dairy, Alexandria**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Lidl UK GmbH per Hargest & Wallace Planning Ltd**

**BACKGROUND AND SITE DESCRIPTION**

- 17.1 Policy GD 2 encourages redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses including ecological and green space uses, and sites for such opportunities are listed in Schedule GD 2 with the proposed uses for the site. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development.
- 17.2 The site at Bank Street is included in Schedule GD 2 as opportunity site GD 2(18) with appropriate proposed uses being listed as retail, residential and commercial uses. The Kippen Dairy site is included in Schedule H 1 as opportunity site H 1(1) with an indicative capacity of 40 houses, and is designated as a housing site on the relevant proposals map. The objector seeks the deletion of retail from the proposed uses considered appropriate for the first site and removal of the second site from Schedule H 1 and its inclusion in Schedule GD 2 for residential, retail, leisure and commercial uses.
- 17.3 The site at Bank Street is shown on map 14 below and lies in the southern part of the Alexandria Town Centre adjacent to the railway station. It is a relatively large site and contains a significant amount of transport infrastructure, including a one way traffic system, an extensive footbridge network and substantial areas of car parking. The site at Kippen Dairy is also shown on map 14 below, and comprises a smaller redevelopment site within the northern part of the Alexandria Town Centre. It currently comprises an area of open space (including a small play area) and informal car parking, but its condition tends to detract from rather than enhance the appearance of the area.

**SUMMARY OF CASE FOR OBJECTOR**

- 17.4 For **Lidl UK GmbH** it is submitted that site GD 2(18) at Bank Street has been examined for the potential development of a discount food store. This examination has identified a number of complex issues that render the site unsuitable for the development of a retail unit of the order of 1,000 to 1,700 sq ms gross floorspace as would typically be operated by Lidl. These difficulties include problems associated with access, levels, ground conditions, land ownership and poor visibility. It is concluded that the site is not suitable for either a large or medium sized supermarket.

- 17.5 The Kippen Dairy site is appropriately included in the Alexandria Town Centre, given its location and relationship to adjoining uses, but to restrict the redevelopment of the site to housing conflicts with its inclusion within the town centre. The range of uses proposed is consistent with policies supporting the vitality and viability of the town centre.

### **COUNCIL RESPONSE**

- 17.6 For **West Dunbartonshire Council** it is submitted that retail has been identified as a suitable use for site GD 2(18) in the master plan where a large supermarket retailer within the town centre would be beneficial to its vitality and viability and support the future regeneration of the town centre. Access at this stage is not deemed an issue as the proposals for the restructuring of the area are thought to address this, and would be assessed through a detailed planning application. Land ownership is not immediately seen as a major problem either with further consultation required.
- 17.7 A master plan has been prepared for Alexandria which considers that the Kippen Dairy site should be used to support the town centre with the development of a private residential proposal. It is considered that retail development on the site would extend the main retail area too far north, and is unnecessary given the retail opportunity at Bank Street. However, through an addendum to further PIM 129, the council proposes to include the site for redevelopment in Schedule GD 2, for residential and commercial use.

### **CONCLUSIONS**

- 17.8 Firstly, I consider that these sites are to some extent related, in that they are both the subject of recommended development proposals in the Alexandria Town Centre Master Plan. I therefore find that it would be helpful to consider both sites together within my conclusions.
- 17.9 Both sites because of their physical appearance and lack of productive use tend to detract from the character and appearance of the town centre. Their redevelopment would constitute positive action as part of an overall initiative to regenerate the town centre, improve its vitality and viability and improve the public realm. On this matter I am conscious that there is no conflict between the parties, and the key issue to be examined in relation to these objections is what would be the most appropriate form of redevelopment for each site, and how this should be reflected in the local plan.
- 17.10 Commencing with the larger site south of Bank Street and up to the railway line, I note that there has been an examination of the suitability of the site for a discount food store, and the conclusion of this examination is that (as far as the objector is concerned) it would not be suitable for such a use. However, this examination appears to have been very specific to a particular type of retail use, and in this respect I am also conscious that the town centre master plan shows a potential redevelopment (actually involving a larger area than the objection site) that includes a supermarket.
- 17.11 The local plan, on the other hand, in terms of suitable uses identified in the schedule under Policy GD 2, is necessarily more generalised. Even if the very specific form of retail development envisaged in the town centre master plan cannot be realised, there may be other forms of retail development that may be appropriate. It appears that a preliminary assessment of the access issues involved on behalf of the council is

reasonably favourable. I therefore find that it would be premature to at this stage delete retail from the list of appropriate uses in Schedule GD 2; the site lies within the designated town centre, and it would therefore appear to be somewhat contradictory to exclude retail use from the development potential of the site. On balance, I find that retail development should actually be encouraged on this site, and only if it becomes clear that there is no prospect of attracting such a use to the site, should this be discounted.

- 17.12 Turning to the Kippen Dairy site, I note that the town centre master plan actually recommends exclusively residential development for this site; as being the most suitable form of development to support the town centre. I accept that this form of redevelopment is a serious contender in the circumstances; particularly given that the consideration of the site for a possible medical centre has been abandoned (this was proposed through PIM 100, but has been abandoned through further PIM 129 following a decision to relocate this to the Vale of Leven Hospital site).
- 17.13 However, it appears to me that it would be just as contradictory to exclude retail use from the redevelopment of this site, as it would be for the Bank Street site, before the possibility of such use has been further considered. I am not convinced by the council's arguments that the site is too far north to be considered appropriate for retail development. It would link in well with other retail development to the west and south of the site, particularly on the west side of Main Street. It may be possible for a development involving significant residential use, but with specialised retail units on the ground floor, to take place. I have to take into account that the site is within the town centre boundary in respect of which the proposed new retail policy (introduced through PIM 65) applies a sequential approach.
- 17.14 I therefore find that the Kippen Dairy site should be deleted from Schedule H 1, and instead should be included as a redevelopment opportunity site in Schedule GD 2, in accordance with the addendum to PIM 129, but with the suitable uses being as proposed on behalf of the objector; retail, commercial, leisure and residential use. I find that any of these uses would be acceptable in the Alexandria Town Centre, in the context of the local plan policies for town centres and retailing. I also take into account that the inclusion of a site within Schedule GD 2 for specific uses does not necessarily mean that all of those uses must in the end be part of any proposed redevelopment for the site.

### **Overall Conclusions**

- 17.15 Following on from the above, I conclude that the site to the south of Bank Street, and up to the railway line, should be retained in Schedule GD 2 with the proposed uses being those currently referred to in the schedule, including retail use, and that the Kippen Dairy site should be deleted from Schedule H 1 and instead included as a redevelopment opportunity site within Schedule GD 2, with the proposed uses being retail, commercial, leisure and residential use.

### **RECOMMENDATIONS**

- 17.16 The site at Bank Street, Alexandria should be retained in Schedule GD 2 as redevelopment opportunity GD 2(18) with the proposed uses being retail, residential, and commercial use.**



**18 INDUSTRIAL/BUSINESS POLICIES IN THE LOCAL PLAN**

**Policies LE 5 and LE 6; PIMs 20 and 24: Industrial/Business Policies in the Local Plan**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Walker Group/Strathleven Regeneration Company per James Barr**

**BACKGROUND**

- 18.1 Policy LE 5 of the local plan refers to the specialised economic development site at Kilmalid, and safeguards this site for appropriate uses. It also states that proposals for alternative uses will be considered against specific criteria set out in the policy. Policy LE 6 refers to strategic employment locations, and includes specific named SBCs and CEDAs and the economic development uses for which they will be safeguarded. The objector seeks amendments relating to both policies; however these objections have been conditionally withdrawn subject to the PIMs referred to in paragraph 18.3 below.

**SUMMARY OF CASE FOR OBJECTOR**

- 18.2 For **Walker Group/Strathleven Regeneration Company** with respect to Policy LE 5 it is submitted that the detailed wording of the policy should be amended with regard to the areas it applies to, and that bullet point 6 relating to non Class 4 & 5 uses should be deleted. With respect to Policy LE 6 it is submitted that the site at Gooseholm Road, housing site H 1(11), should not be designated as SBC or CEDA.

**COUNCIL RESPONSE**

- 18.3 For **West Dunbartonshire Council** it is proposed to amend the second line of Policy LE 5B by deleting “information” in order to comply with the planning consent. It is also proposed to amend the wording of Policy LE 5 by deleting bullet point 6 substituting this with: “*retail sales areas must comply with Policy LE 2 unless they are part of a mixed use development unit or ancillary to a leisure/tourist facility.*” In addition line 14 of the policy is proposed to be amended to read: “*Proposals for alternative uses on the sites LE 5A and 5B will be considered against the following:...*”. Given that the southern Strathleven site has consent for housing it is proposed to delete the SBC/CEDA designation for this area. These amendments are all covered by PIMs 20 and 24.

**CONCLUSIONS**

- 18.4 I conclude that the PIMs referred to in paragraph 18.3 above meet the terms of the objections, and that they are an appropriate planning response in order to clarify or appropriately revise the terms of Policies LE 5 and LE 6.

**RECOMMENDATION**

- 18.5 Policies LE 5 and LE 6 should be modified in accordance with PIM 20 and PIM 24.**

**19 REDEVELOPMENT OPPORTUNITY AT ROTHESAY DOCK, CLYDEBANK**

**Policies LE 1 and GD 2 (Schedule GD 2): Redevelopment Opportunity at Rothesay Dock, Clydebank**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Clydeport PLC per McInally Associates Ltd**

**BACKGROUND AND SITE DESCRIPTION**

- 19.1 Policy LE 1 of the local plan refers to industrial and business use sites, and states that within the existing and proposed industrial and business class sites designated on the proposals map, there shall be a presumption in favour of uses which positively extend the permanent employment potential of the sites. Policy GD 2 encourages redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses, and sites for such opportunities are listed in Schedule GD 2 with the proposed uses for the site.
- 19.2 This site is an existing industrial/business use under Policy LE 1 and is not a redevelopment opportunity site identified through Policy GD 2 and Schedule GD 2 of the local plan. The objector seeks an amendment to the local plan to allow mixed use development including housing on the site. There is however no specific designation for such on the proposals map, and for consistency I therefore interpret this objection as seeking the deletion of the site from Policy LE 1 and its designation as a redevelopment opportunity site in Schedule GD 2, identifying housing, commercial and open space as appropriate uses. I have taken into account the sketch layout proposals included with the associated planning application and submitted to the council in February 2008.
- 19.3 The site is shown on map 15 below, and lies between an existing oil terminal to the east, and the Clydebank College to the west, which has already been constructed as part of the Clyde Waterfront metropolitan flagship initiative. Land to the west of the college is allocated as a major housing site (site H 2(2) for 968 houses) in the local plan, and has already been cleared for development. Immediately west of the site's western boundary is a site allocated for industry/business development (LE 1(7) extending to just over 2 ha).
- 19.4 The western part of the site contains an aggregate distribution use, making use of the Rothesay Dock for the shipment of aggregates. The eastern part of the site contains a large warehouse building which is currently vacant. The western quay wall within the Rothesay Dock is stated to be in poor condition and in need of repair.

**SUMMARY OF CASE FOR OBJECTOR**

- 19.5 For **Clydeport PLC** it is submitted that the objection site is in poor environmental condition and is in need of regeneration. The quay walls are in need of repair and re-designation would stimulate investment in the quay walls and safeguard the business uses on the remainder of the dock site. Continuing seismic movements would cause this situation to worsen as the quay wall decays. The site is adjacent to the Queens' Quay development and the existing use would be incompatible with this regeneration. Housing

development would accord with SPP 2 which recognises mixed use development may be the most appropriate method of redeveloping brown field sites.

- 19.6 The GCVSP does not designate the site as a SIBL, and the Clyde Waterfront is a Metropolitan Flagship Initiative to reclaim the waterfront and promote a mix of land uses. The requirement for additional industrial land should be assessed against demand for land, and land outwith strategic locations should not be safeguarded. There is a surplus of industrial land therefore the re-designation of the site for mixed use can be fully justified. Arguments are presented on the industrial land supply and changes to the designation of sites within the Rothesay Dock.

## **COUNCIL RESPONSE**

- 19.7 For **West Dunbartonshire Council** it is submitted that the redevelopment of the objection site for alternative uses would reduce the amount of industrial land in Clydebank. The marketable industrial land supply in Clydebank is proportionally less than elsewhere in the council area and the range of sites is limited. The redevelopment of the site for mixed uses would adversely affect available land for employment purposes in the future and make the Rothesay Dock area less suitable for employment uses. Development for housing would be contrary to structure plan CEDA and SBC policy.
- 19.8 Aircraft noise levels are expected to increase and would make residential development inappropriate. The existing operation utilising the dock facility is a sustainable use in terms of SPP 17. There is no requirement for additional residential land. The proposed development of the site would divert development away from existing vacant sites in the Clydebank Riverside Urban Renewal Area. The arguments relating to the repair of the quay walls are not credible. The location of the proposed housing near the Kenab Petrol Terminal is inappropriate and would not result in an attractive residential environment.

## **CONCLUSIONS**

### **Housing Land Supply**

- 19.9 I acknowledge that there is no requirement for additional housing land in the Greater Glasgow North and West HSMA up to 2018, and I refer to my findings in section 3 above in this respect. However, the Clydebank Riverside is identified as an urban renewal area within Schedule 1(b) of Strategic Policy 1 of the GCVSP. I accept that housing development on the objection site would constitute the redevelopment of brown field land and would be likely to contribute to the effective housing land supply. I therefore find that, notwithstanding that there is already sufficient effective housing land, the development of the site for housing would accord with the metropolitan development strategy, but only if there is no longer a requirement for the site as part of the industrial/business land supply in the context of Strategic Policy 5 of the GCVSP.

### **Industrial/Business Land Supply**

- 19.10 Strategic Policy 5 of the GCVSP requires the economic competitiveness of the metropolitan area to be supported through a number of measures, including the promotion of SBCs, SIBLs, CEDAs and ITFs. The objection site lies within the Clydebank Riverside, which is relevant to all of the first 3 designations, and the Rothesay

Dock is specifically listed as an ITF. Following on from the above, a key issue for consideration in relation to this objection is whether or not the objection site is still required as part of the existing industrial/business land supply under Policy LE 1 of the local plan.

- 19.11 I note the evidence of both parties relating to the industrial land supply. There is sufficient marketable land within West Dunbartonshire for the next 10 years. However, I accept that there is proportionately less land in Clydebank and I also accept that there is a limited range of industrial/business sites available. In this context, the loss of the objection site from the industrial land supply is of some concern. However, I believe that it is necessary to look at both the function and context of this particular objection site within the industrial/business land supply, in order to determine the importance or otherwise of retaining the site under Policy LE 1, and as a result whether or not it would be appropriate to allow its redevelopment for alternative uses.
- 19.12 The existing use of the site for aggregates distribution, utilising the docking facility for the shipping aggregates, clearly accords with Schedule 5(f) of the GCVSP. The large warehouse, although vacant at the present time, should present an opportunity for storage in relation to the use of the site as a docking facility. I note the evidence on behalf of the objector that consideration is being given to the relocation of the aggregates distribution business and the warehouse to other available locations at the Rothesay Dock. Notwithstanding this, redevelopment of the site for uses that do not require a docking facility would appear to be inconsistent with the designation of the Rothesay Dock as an ITF in the GCVSP.
- 19.13 Furthermore, housing led development (which I take from evidence submitted on behalf of the objector and the sketch layout proposals as being the intention of the objector) would not appear to be consistent with the designation of the Clydebank Riverside as a SBC, SIBL and CEDA. I recognise that large areas of the Clydebank Riverside have already been designated for housing, having previously been in employment use, but as there are no site specific objections relating to these sites, I cannot form a judgement about the merits of doing so or otherwise. Each case has to be considered on its merits.
- 19.14 I recognise that the current use of the site may not provide the same level of visual amenity within this riverside location as would a combination of housing and commercial development, with substantial areas of open space, and this matter is considered commencing in paragraph 19.17 below. However, I am not convinced by the argument on behalf of the objector that the current use is incompatible with the surrounding uses. Mixed uses are indeed being promoted to the west of the site, including substantial housing, but there is also an industrial/business opportunity site to the immediate west of the objection site. In addition, the continued industrial use of the site is clearly compatible with the oil terminal to the east of the site.
- 19.15 There is also reference on behalf of the objector to the need to repair the western quay wall, which is stated to be in poor structural condition, restricting operations on the site near to the quay wall. Whilst I accept this evidence as fact, I agree with the position of the council on this matter, to the extent that this is an issue to be addressed irrespective of the redevelopment prospects for the site, and that as such that it should not require an enabling development.

19.16 It is obviously necessary to consider the interests of Strategic Policy 5 of the GCVSP within the context of Strategic Policy 1, but on balance I find that the prospect of regenerating the riverside through a mixed use housing led development, in the context of the latter, is outweighed by the prospect of losing an industrial site contributing to the local economy in the context of the former. I therefore find that the retention of the objection site as part of the industrial/business land supply is appropriate, and that there is no basis in the context of this land supply, or Strategic Policy 5 of the GCVSP, to designate the site as a redevelopment opportunity under Policy GD 2 of the local plan.

### **Suitability of the Site for Redevelopment**

19.17 I recognise that housing led development such as that envisaged on behalf of the objector would add to the overall visual amenity of the Clydebank Riverside. There is no doubt that a well designed development, with landscaping and extensive areas of open space, as shown in the sketch layout proposals, would be of benefit in this respect. The context plan provided on behalf of the objector also shows how such development would integrate with the redevelopment proposals to the west of the site. However, there are several issues relating to residential safety and amenity that require to be considered, as well as general issues relating to the overall redevelopment of the site.

19.18 The first of these is the proximity of the oil terminal to the east of the site. HSE has been consulted in this respect and it appears from the evidence available that if the new housing development is located in the western part of the site (which would be within the outer zone for consultation with HSE) as envisaged in the sketch layout proposals, then HSE would not advise against granting planning permission. I recognise that such a facility adjacent to residential development may not be ideal, but the provision of open space and landscaping between the oil terminal and the housing would be sufficient for the protection of residential amenity. I therefore find that the proximity of the oil terminal does not impose a significant constraint to housing development on the objection site.

19.19 In addition to the above, the site lies within an area affected by the noise contours of aircraft to/from Glasgow Airport, provided by BAA, and which is shown on the proposals map. This is relevant to the extent that consideration of aircraft noise in relation to residential development is required in the context of PAN 56. From the assessment of such noise undertaken on behalf of the objector, it appears that the objection site currently falls within NEC "B" in table 2.1 of PAN 56, and could fall within NEC "C" if and when Glasgow Airport expands in the future. NEC "B" requires mitigation measures and NEC "C" states that planning permission should not normally be granted.

19.20 In overall terms, given that there also appears to be some uncertainty relating to the noise event profiles in the assessment undertaken on behalf of the objector (observations of the council's environmental health officer), I find that the effects from aircraft noise weigh against a redevelopment opportunity with housing development on the objection site, particularly given that there is no identified need for further housing within the HSMA.

19.21 The risk of flooding is also an issue to consider in any redevelopment of the site. The SEPA flood risk map shows part of the site to be liable to flooding from a 1 in 200 year event. A flood risk assessment would therefore be required for any redevelopment of the site. No such assessment is currently available, although I accept that similar flood protection measures are likely to be required to those for the development of areas to the

west of the site. Flood protection is likely to involve land raising in order to ensure that the provisions of the risk framework set out in SPP 7 are met, and such would have to be consistent with the metropolitan development strategy of the GCVSP. In the circumstances, therefore, taking into account my finding in paragraph 9.16 above, the risk of flooding is a factor that weighs against its inclusion as a redevelopment opportunity site. This would particularly be the case if the redevelopment is housing led.

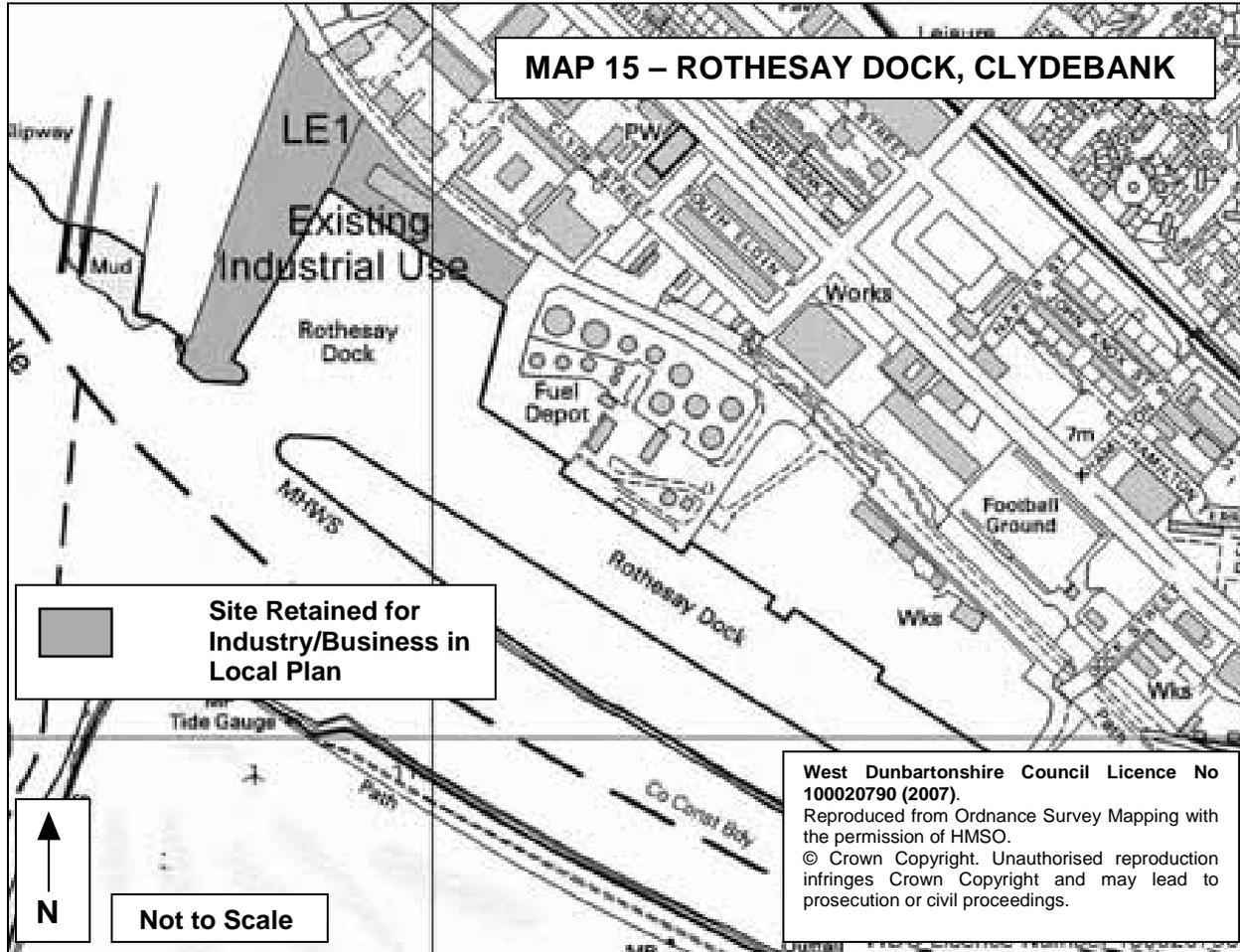
- 19.22 Contamination of the site is a further issue that requires consideration. An assessment undertaken on behalf of the objector identifies a number of potentially significant pollutant linkages on the site, and an intrusive site investigation is recommended. Whilst no doubt measures would be possible to treat all of the pollutant linkages identified, the contamination of the site is another issue that weighs against a redevelopment opportunity including housing development on the objection site, particularly given that there is no identified need for further housing within the HSMA.
- 19.23 Finally, I note that a transportation assessment has been undertaken on behalf of the objector, and I agree with the conclusions that housing development on the site would be sustainable in transport terms, and that the impact of additional traffic generated on the local roads network would be low.

### **Overall Conclusions**

- 19.24 In overall terms, I conclude that the site should be retained for industry/business under Policy LE 1 of the local plan. I conclude that the designation of the site as a redevelopment opportunity within Schedule GD 2 could not be supported owing to the prospect of losing an industrial/business site contributing to the local economy in the context of Strategic Policy 5 of the GCVSP. In addition the risk of flooding on the site, the effects of aircraft noise and contamination of the site weigh against housing led redevelopment of the site.

### **RECOMMENDATION**

- 19.25 The site at Rothesay Dock, Clydebank, should be retained within the existing industrial/business land supply under Policy LE 1 and should not be included as a redevelopment opportunity in Schedule GD 2.**



**20 REDEVELOPMENT OPPORTUNITY AT FORMER ESSO SITE, BOWLING**

**Policy LE 4 and PIM 19: Redevelopment Opportunity at Former Esso Site, Bowling**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Scottish Enterprise**

**BACKGROUND**

- 20.1 Policy LE 4 relates specifically to the large specialised economic development site at Bowling, which extends (between the railway line and the foreshore) from the western edge of the village of Bowling, to the eastern edge of the village of Milton. Policy GD 2 encourages redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses, and sites for such opportunities are listed in Schedule GD 2 with the proposed uses for the site. The objector seeks the designation of this site as a redevelopment opportunity under Policy GD 2 and Schedule GD 2, rather than a specialised economic development site. However, the objection has been conditionally withdrawn subject to PIM 19 referred to in paragraph 20.3 below.

**SUMMARY OF CASE FOR OBJECTOR**

- 20.2 For **Scottish Enterprise** it is submitted that the designation of the former Esso site at Bowling under Policy LE 4 is restrictive and inappropriate, and that the designation of the site under Policy GD 2 would allow greater flexibility in the uses which could be attracted to the site whilst also retaining the council's desire for business and industrial uses on the site.

**COUNCIL RESPONSE**

- 20.3 For **West Dunbartonshire Council** it is submitted that Policy LE 4 will be amended to state that there shall be a presumption in favour of uses which extend the permanent employment potential of the site as well as mixed uses, including residential, that would facilitate the development of the site for employment uses including ancillary retail uses.

**CONCLUSIONS**

- 20.4 I conclude that PIM 19 is an appropriate planning response to the objection, which maintains the essential purpose of the site's designation for specialised industrial and business use, whilst at the same time introducing enough flexibility to ensure that a viable development is attracted to the site. The designation of the site under Policy GD 2 would in my view extend the flexibility too far, and devalue the site's essential role in providing uses which maximise its economic development potential.

**RECOMMENDATION**

- 20.5 Policy LE 4 should be retained subject to the modifications to the text in PIM 19.**

**21 HOUSING OPPORTUNITY SITE AT CASTLEGREEN STREET, DUMBARTON**

**Policies LE 1 and H 1 (Schedule H 1): Housing Opportunity Site at Castlegreen Street, Dumbarton**

**OBJECTOR AT HEARING**

**For Mr A L Taghi:  
Mr Peter W Fenton, Planning and Design Services  
Mr A L Taghi**

**WEST DUNBARTONSHIRE COUNCIL**

**For West Dunbartonshire Council:  
Mr Alan Williamson, Section Head, Forward Planning & Regeneration, WDC  
Mr Peter Morris, Planning Officer, WDC  
Ms Moira Clark, Planning Officer, WDC**

**BACKGROUND AND SITE DESCRIPTION**

- 21.1 Policy LE 1 of the local plan refers to industrial and business use sites, and states that within the existing and proposed industrial and business class sites designated on the proposals map, there shall be a presumption in favour of uses which positively extend the permanent employment potential of the sites. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development.
- 21.2 This site is an existing industrial/business use under Policy LE 1 and is not a housing opportunity included in the appropriate schedule and is not designated as such on the relevant proposals map. The objector seeks the deletion of the site from its designation under Policy LE 1 and its inclusion for housing within Schedule H 1. Part of the site to the south and the north is designated as open space under Policy R 1. However, it was confirmed at the hearing that such would be retained as open space in any development of the site, and that therefore there is no issue between the parties on this matter.
- 21.3 Apart from the existing areas of open space, the site is presently occupied by a large building which covers most of the site as shown on map 16 below. There is a vehicular access around the entire site, and also through the centre of the building. The building has been sub-divided into some 24 smaller units, of varying size, that are generally in use for either industry or storage. There are 2 large sites to the west and east of the objection site that have been mostly cleared of former industrial buildings, and are identified for housing development as sites H 1(14) and H 1(16) respectively in Schedule H 1. There is evidence of a former connection between the objection site and the site to the west by gantries that still exist on the objection site. There is also a large gas holder and sewage works to the east of the site, which are both expected to continue during the life of the local plan.

## SUMMARY OF CASE FOR OBJECTOR

- 21.4 For **Mr Taghi** it is submitted that the industrial buildings on the site are in very poor condition. The units on the site are significantly underused with the main use being storage rather than active industrial use. The council should accept that the site is surplus to requirements, as has been the case with industrial uses on adjacent sites, which have been relocated elsewhere and the land re-designated for residential use. The objection site is more suited to residential development than land granted planning permission to the west due to the older warehouses on the objection site and a better view south. If the site is retained for industrial use it would result in an industrial site within a residential area. The considerations applying to the gas holder and sewage works are considered to be the same for the other sites to the west and east that have been designated for residential use.

## COUNCIL RESPONSE

- 21.5 For **West Dunbartonshire Council** it is submitted that there is no requirement for residential land in the Dumbarton and Vale of Leven HMA as indicated by the GCVSP. Available business property market information suggests there is demand for existing industrial units and the site provides a useful provision for small businesses. The residential development of the site would be contrary to the CEDA designation and Strategic Policy 9 of the GCVSP. In addition the site is adjacent to a gas holder which has a consultation zone surrounding it and HSE advises against residential development. The allocation of residential sites to the west and east of the objection site has been to allow the redevelopment and restructuring of the Dumbarton Town Centre.

## CONCLUSIONS

### Housing Land Supply

- 21.6 I acknowledge that there is no requirement for additional housing land in the Dumbarton and Vale of Leven HMA. Although the programming of sites in the Dumbarton area has been questioned on behalf of the objector, I am satisfied that there is likely to be sufficient effective housing land to meet the need identified, in terms of my conclusion in paragraph 3.10 of section 3 above. However, it is also clear that, whilst the site may not strictly be a brown field site at the moment because it is in use for industrial or storage purposes, its redevelopment for housing would constitute brown field development in the context of the current definition of brown field land in SPP 3 (revised 2008).
- 21.7 Furthermore, the Dumbarton Central area is identified as an urban renewal area within Schedule 1(b) of Strategic Policy 1 of the GCVSP. I accept that the site has capacity for about 196 housing units, and that these would contribute to the effective housing land supply. I therefore find that, notwithstanding that there is already sufficient effective housing land, the development of the site for housing would accord with the metropolitan development strategy, but only if there is no longer a requirement for the site as part of the industrial/business land supply in the context of Strategic Policy 5 of the GCVSP.

### Industrial/Business Land Supply

- 21.8 Strategic Policy 5 of the GCVSP requires the economic competitiveness of the metropolitan area to be supported through a number of measures, including the

promotion of CEDAs. The objection site lies within the designated CEDA for Dumbarton, and therefore a key issue for consideration in relation to this objection is whether or not the objection site is still required as part of the existing industrial/business land supply under Policy LE 1 of the local plan.

- 21.9 The evidence submitted to the hearing on behalf of the objector in relation to the existing building on the site is that some 3,500 sq ms is in active use for industrial purposes, with some 9,000 sq ms being used for storage and about 4,000 sq ms vacant. There are some 8 to 10 people employed on the site. From my inspection of the site and some of the units, although there are existing industrial and storage uses which are obviously viable at the present time, a significant portion of the building (units 18 to 23) is used as a skate park, which is not a compatible use for this building in the context of the site's designation under Policy LE 1 of the local plan. In any event, I agree with the evidence on behalf of the objector to the extent that the building is considerably underused in terms of its potential for industrial or business use. From my inspection of the site, some of the storage uses appear to be utilising only a small amount of the space available.
- 21.10 This is not however sufficient reason on its own to justify the site's re-designation for housing in the local plan. The site and the building are generally quite well maintained, and even though the building is underused, clearly contribute to the industrial land supply. Whilst there is extensive scope for more industrial and business use within the building, this could possibly be achieved through more active marketing of the site for appropriate industrial or business uses, given the council's evidence to the hearing that there has been an increased take-up of industrial units in recent years.
- 21.11 I sympathise with the position of the objector relating to the loss of industrial uses from the adjacent sites which have now been allocated for housing development in the local plan. I appreciate that there is a view that the council is not being consistent in its approach to retaining land as part of the industrial land supply. However, the circumstances relating to the adjacent sites do not appear to be the same. The council's evidence is that these sites were cleared and the industrial users (which were single users of the respective sites) were relocated to more suitable sites. Whilst it is possible that the existing buildings could have been sub-divided into smaller units, I have no evidence before me to convince me that this could have been done. On the other hand, the building on the objection site has already been sub-divided, and many of these units are clearly being used (although not to their full potential) either for industrial or storage purposes.
- 21.12 I therefore find that the site contributes to the industrial/business land supply to an extent that does not justify its re-designation for housing use in the context of Strategic Policy 5 of the GCVSP. There is no indication that the existing users of the building would be relocated to suitable premises and such could therefore be lost. Furthermore, although I accept that the building is significantly underused at the present time, the site should not be taken out of the industrial/business land supply unless further attempts to market the units available show that in overall terms the industrial/business use of the building is no longer viable.

### **The Suitability of the Site for Residential Use**

- 21.13 Irrespective of the site's contribution or otherwise to the industrial/business land supply, the council's position as stated at the hearing is that the site is in any event unsuitable for

residential use. This is primarily because of the existence of the gas holder and sewage works to the east of the site.

- 21.14 With respect to the gas holder, the objection site comes under either the inner or middle distance consultation zone, and accordingly HSE advises against residential development on the site. I note that part of site H 1(16) also lies within the middle distance consultation zone, and the council's evidence is that less than 30 houses are proposed here. If less than 30 houses were proposed in the middle distance zone, this would be acceptable on the objection site also. However, this would result in less than 30 houses on the objection site as a whole, and would not be in accordance with the objector's stated intention for the site, which is to provide about 196 houses on the site in total.
- 21.15 I am conscious of evidence on behalf of the objector that there are other instances where housing development has been allowed within the same distance of a gas holder as that applying to the objection site. However, I also note the evidence on behalf of the council that consultation distances have recently been revised, and I find that it would therefore not be appropriate to apply the circumstances of such cases to the objection site. I am satisfied that there is consistency in the approach to the objection site and housing development on site H 1(16), and I find that the constraints imposed by the gas holder would not enable the objection site to be allocated as a viable housing site in the local plan at the present time.
- 21.16 With respect to the sewage works to the east of the objection site, notwithstanding the railway line and embankment, I find that there would be little difference in terms of the effect upon residential amenity between the objection site and site H 1(16), particularly given the interposition of the gas holder between the objection site and the sewage works. I also note that planning permission has been granted for a waste transfer station on land to the east and south of the gas holder, and whilst this is not an ideal use adjacent to a housing site, I am conscious that there would have to be very low density housing immediately adjacent to the eastern boundary of the site because of the gas holder.
- 21.17 Most of the site is at risk of flooding from a 1 in 200 year event. A flood risk assessment would be required for any development on the site. No detailed information is currently available to me, although it appears that the site would require extensive land raising in order to ensure that the provisions of the risk framework set out in SPP 7 are met, and such would have to be consistent with the metropolitan development strategy of the GCVSP. In the circumstances, therefore, I find that the risk of flooding is a factor that weighs against the site's inclusion for housing development in the local plan. I agree with the council that land raising would not be an appropriate response for the open space area adjacent to the foreshore, but since this area is not proposed for development, this issue is unlikely to be relevant.

### **Overall Conclusions**

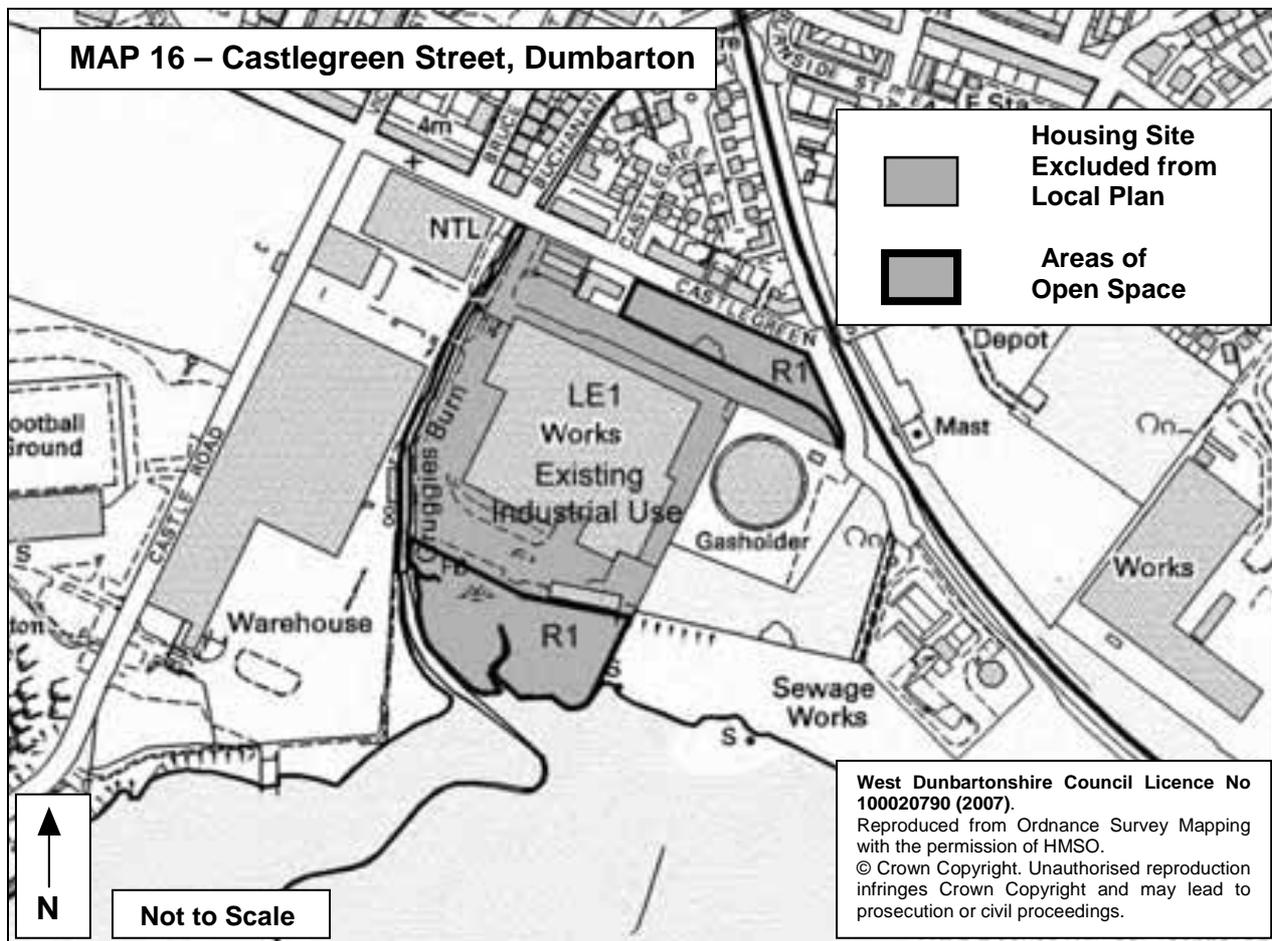
- 21.18 I conclude that although the allocation of this site for housing in the local plan would accord with the provisions of the metropolitan development strategy in terms of Strategic Policy 1 of the GCVSP, it would not accord with Strategic Policy 5 because the site contributes to the industrial/business land supply. The site should therefore remain designated under Policy LE 1 of the local plan. However, if further marketing of the site does not maintain or increase its viability for industrial/business use during the life of the

local plan, the council may wish to reconsider the use of the site for housing development at the time of the next local plan review.

21.19 In terms of the site's suitability for housing development, I conclude that the major constraint to development is the close proximity of the gas holder, which would currently not enable a viable housing site to be allocated in the local plan. However, this position could be reconsidered at the next local plan review in the light of advice from HSE and the expected remaining life of the gas holder. In addition, the risk of flooding on the site is a constraint to development, but this may also be reconsidered following a flood risk assessment, and if the site's allocation for housing development is subsequently deemed to accord with the provisions of the GCVSP.

## RECOMMENDATION

21.20 The site at Castlegreen Street, Dumbarton, should be retained within the industrial/business land supply under Policy LE 1 and should not be included as a housing opportunity in Schedule H 1.



**22 REDEVELOPMENT OPPORTUNITY AT SANDPOINT MARINA,  
DUMBARTON**

**Policies LE 1 and GD 2 (Schedule GD 2): Redevelopment Opportunity at Sandpoint Marina, Dumbarton**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Mr P Doherty, Sandpoint Marina per Beebe Planning**

**BACKGROUND AND SITE DESCRIPTION**

- 22.1 Policy LE 1 of the local plan refers to industrial and business use sites, and states that within the existing and proposed industrial and business class sites designated on the proposals map, there shall be a presumption in favour of uses which positively extend the permanent employment potential of the sites. Policy GD 2 encourages redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses, and sites for such opportunities are listed in Schedule GD 2 with the proposed uses for the site.
- 22.2 This site is an existing industrial/business use under Policy LE 1 and is not a redevelopment opportunity identified through Policy GD 2 and Schedule GD 2 of the local plan. The objector seeks the deletion of the site from its designation under Policy LE 1 and its inclusion as a redevelopment opportunity site within Schedule GD 2.
- 22.3 The site is shown on map 17 below, and lies at the eastern edge of a peninsula bounded on 3 sides by the River Leven. The foreshore of the River Clyde (to the south of the site) is part of the Inner Clyde SPA designated under Policy E 2A of the local plan. To the east of the site is Levensgrove Park. The site is accessed from Bridge Street to the west of the town centre by a lengthy cul-de-sac known as Woodyard Road. The site is used as a marina for boat storage and repair. However, there are also derelict buildings within the site and areas of the site that appear to be vacant or underused. One of the buildings on the site is used as a recycling centre.

**SUMMARY OF CASE FOR OBJECTOR**

- 22.4 For **Mr P Doherty** it is submitted that the site should be designated as a mixed use development site under Policy GD 2 incorporating housing, marina/boatyard, clubhouse and leisure facilities and the Policy LE 6 CEDA designation redefined to exclude the site. This is considered suitable due to the changing nature and character of Dumbarton's riverside and the mixed use patterns of development proposed for the eastern riverside. The Sandpoint Marina site is the only industrial use on the peninsula west of Dumbarton, is accessed by a low quality road and is a large prominent site with boatyard, vacant and derelict land/buildings and ancillary uses. The area otherwise has a high quality environmental character, with designations in the local plan reflecting this. The potential for change utilising housing led mixed use would therefore benefit the site, the immediate area and support the renewal principles of the wider area.

## COUNCIL RESPONSE

- 22.5 For **West Dunbartonshire Council** it is submitted that there is no need for additional housing land and that residential uses on the site would not be appropriate due to the substandard nature of the road access and the isolated nature of the site. As such the use of the site for housing would be contrary to SPP 3 (revised 2008). The objector has not indicated the likely relocation of existing business activity on the site or the retention of employment uses. Other redevelopment sites in Dumbarton have been through the planned restructuring of vacant and derelict sites within the urban area. The site is subject to flooding and the development of housing on the site would be contrary to the GCVSP as well as SPP 7. The objection site is within a strategic CEDA policy area and the loss of employment land would be contrary to the principles of this policy. The designation of the site under Policy GD 2 would be inappropriate as this could lead to the development of housing over the whole site and the complete loss of employment uses.

## CONCLUSIONS

### Housing Land Supply

- 22.6 I acknowledge that there is no requirement for additional housing land in the Dumbarton and Vale of Leven HMA. However, the Dumbarton Central area is identified as an urban renewal area within Schedule 1(b) of Strategic Policy 1 of the GCVSP. I accept that housing development on the objection site would constitute the redevelopment of brown field land and would be likely to contribute to the effective housing land supply. I therefore find that, notwithstanding that there is already sufficient effective housing land, the development of the site for housing would accord with the metropolitan development strategy, but only if there is no longer a requirement for the site as part of the industrial/business land supply in the context of Strategic Policy 5 of the GCVSP.

### Industrial /Business Land Supply

- 22.7 Strategic Policy 5 of the GCVSP requires the economic competitiveness of the metropolitan area to be supported through a number of measures, including the promotion of CEDAs. The objection site lies within the designated CEDA for Dumbarton, and therefore a key issue for consideration in relation to this objection is whether or not the objection site is still required as part of the existing industrial/business land supply under Policy LE 1 of the local plan.
- 22.8 In the first instance, I note that the objector seeks the removal of the site from the designated CEDA. However, in the event that the site is included as a redevelopment opportunity under Policy GD 2, the site may still have a role in providing employment generating uses. In addition, I note that the CEDA area on the eastern side of the River Leven includes residential uses, including the allocated housing site H 1(14). I therefore find that there is no reason to remove the site from the CEDA area, even if it is included as a redevelopment opportunity site in Schedule GD 2.
- 22.9 I am conscious that there are derelict buildings on the site, and that parts of the site appear vacant or underused. I also note the evidence on behalf of the objector that there are only 6 people employed at the marina. However, the existing marina is operational which suggests that it is a viable employment use for the site. The site also contains a

recycling centre. The proposed redevelopment of the site on behalf of the objector appears to be housing led, and I note from the indicative layout submitted that that the main use of the site would probably be for housing with the retention of the existing occupied marina office/workshop building and the recycling centre and surrounding land.

- 22.10 On balance, I find that there is the potential for some redevelopment of the site without necessarily undermining the existing employment uses on the site. However, such redevelopment may not constitute residential development in the form envisaged in the indicative layout. This would be a matter for the subsequent consideration of the council in the event that redevelopment is proposed, either under Policy LE 1 (which would also include the possibility of mixed business and retail uses under Policy LE 2) or Policy GD 2, whichever is chosen to apply to the site.
- 22.11 A further matter to consider is the potential for environmental improvement of the site, which has a somewhat degraded appearance as a result of the derelict buildings and vacant land on the site. Whilst a sensitive redevelopment of these areas for an appropriate use would undoubtedly have a positive environmental effect, I find that the objector places too much importance on this issue, and that it is not a major issue in determining the most appropriate policy framework for the site. The uses on the site are the sorts of uses to be expected in an urban riverside location, and in my view do not significantly detract from the character or appearance of the wider area.
- 22.12 Taking all of the above into account, I find that the existing employment use of the site justifies its retention as part of the industrial/business land supply under Policy LE 1. Whilst the site could also be considered as a redevelopment opportunity site under Policy GD 2, taking into account the suitability of the site for particular uses (which is considered commencing in paragraph 22.13 below), it is possible that appropriate redevelopment of the site could also take place under Policy LE 1 or Policy LE 2.

### **Suitability of the Site for Redevelopment**

- 22.13 Given the retention of the marina and recycling centre, any redevelopment of the site would have to concentrate on the area occupied by the derelict buildings, and any parts of the site that are no longer required by the existing uses. However, the derelict buildings may be considered for conversion as opposed to redevelopment. The remaining area for redevelopment essentially depends upon the area no longer required in connection with the marina, in respect of which I have insufficient evidence to form a conclusion.
- 22.14 However, I do not think that any redevelopment of the site should necessarily be housing led. Whilst residential use may be appropriate as part of a mixed use development of the site, more priority could be given to employment generating uses compatible with those uses retained on the site. I find that appropriate uses would be likely to be industrial, commercial, leisure and residential uses, probably in that order of priority, and with any residential use being linked to employment use on the site. I do not consider that in environmental terms any particular use for the site should be preferred. However, the aim should be to seek appropriate building design and landscaping of the site in order to improve its appearance in the context of its location on the Dumbarton waterfront.
- 22.15 The risk of flooding is a key issue to consider in any redevelopment of the site. It is acknowledged in the evidence on behalf of the objector that a significant area of this site

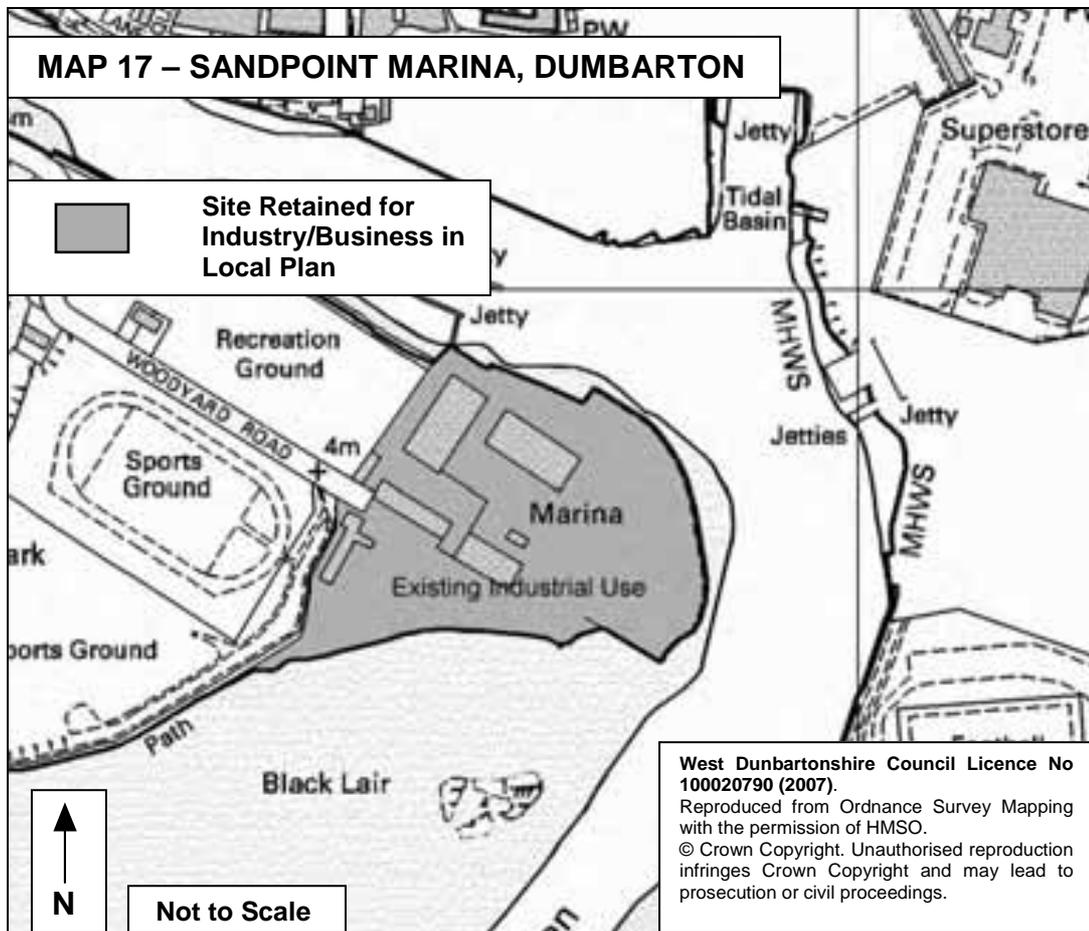
is liable to flooding from a 1 in 200 year event. The SEPA flood risk map shows virtually the whole of the site to be liable in this respect. A flood risk assessment would therefore be required for any redevelopment of the site. No detailed information is currently available to me, although it appears that the site would require extensive land raising in order to ensure that the provisions of the risk framework set out in SPP 7 are met, and such would have to be consistent with the metropolitan development strategy of the GCVSP. In the circumstances, therefore, the risk of flooding is a factor that weighs against its inclusion as a redevelopment opportunity site. This would particularly be the case if the redevelopment is housing led.

**Overall Conclusions**

22.16 In overall terms, I conclude that the site should be retained under Policy LE 1 of the local plan. This does not rule out any redevelopment of the site that would accord with the provisions of the policy, subject to appropriate flood risk measures being implemented, but I conclude that there is insufficient justification for the site’s designation as a redevelopment opportunity site within Schedule GD 2; particularly where such development would be housing led.

**RECOMMENDATION**

22.17 **The site at Sandpoint Marina, Dumbarton, should be retained within the existing industrial/business land supply under Policy LE 1 and should not be included as a redevelopment opportunity in Schedule GD 2.**



**23 INDUSTRIAL/BUSINESS AND HOUSING OPPORTUNITIES AT MAIN STREET, JAMESTOWN**

**Policies LE 1 and H 1 and Opportunity LE 1(10); PIM 30 and further PIM 30A: Industrial/Business and Housing Opportunities at Main Street, Jamestown**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Mr Hugh Kinloch per J Turner FRICS**

**BACKGROUND AND SITE DESCRIPTION**

- 23.1 Policy LE 1 of the local plan refers to industrial and business use sites, and states that within the existing and proposed industrial and business class sites designated on the proposals map, there shall be a presumption in favour of uses which positively extend the permanent employment potential of the sites. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development.
- 23.2 This site is included in the local plan as potential marketable industry and business site LE 1(10), under Policy LE 1 and Schedule LE 1, and is not a housing site included in the appropriate schedule and designated as such on the relevant proposals map. The objector seeks the deletion of at least part of the site from its designation under Policy LE 1 and its inclusion for housing within Schedule H 1. However, this objection has been conditionally withdrawn subject to the PIMs set out in paragraph 23.5 below.
- 23.3 The site is shown on map 18 below, and lies to the south of a cul-de-sac access from Main Street which contains a number of general industrial uses along its north side. It is currently agricultural pasture land which lies to the east of housing opportunity site H 1(17) and public services site PS 3(8) which are both the subject of separate objections considered in section 27 below. It is also north of a timber yard which includes a significant amount of stored timber within an extensive site.

**SUMMARY OF CASE FOR OBJECTOR**

- 23.4 For **Mr Hugh Kinloch** it is submitted that site LE 1(10) has been zoned for industrial use for more than 20 years, and no formal approach has been made to the owner during this time by any party interested in developing the area. In the context of SPP 2, which requires land to be regularly reviewed in terms of its marketability, this land should no longer be zoned for industry. In the event that it is to be retained for industry, there should be a linked action plan showing how the land will be brought forward for development.

**COUNCIL RESPONSE**

- 23.5 For **West Dunbartonshire Council** it is submitted that part of site LE 1(10) and an adjacent green belt area is to be designated as a new housing opportunity site under

Policy H 1 and the field east of the Gilmore & Aitken sawmill is to be designated under Policy LE 1 as an industrial opportunity (site LE 1(20) which is also shown on map 18 below) solely for the expansion of the adjacent sawmill, and subject to the prior development of the modified site LE 1(10). To implement this modification an additional Policy LE 1B and reasoned justification is proposed to be added to chapter 5. The new policy restricts the use of the new industrial opportunity site and requires a Section 75 agreement. These changes are proposed through PIM 30 and further PIM 30A.

### CONCLUSIONS

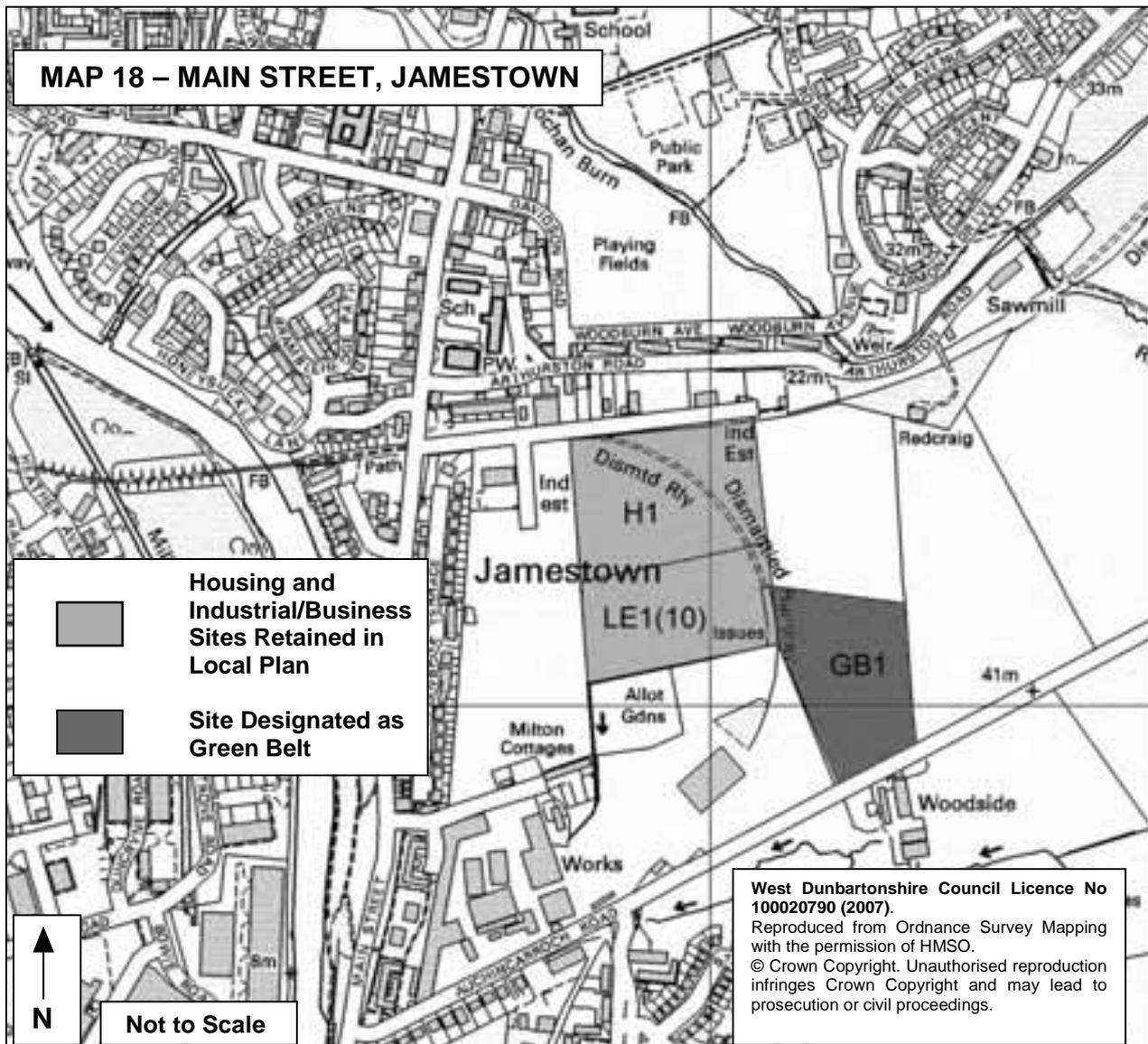
- 23.6 In the first instance, I agree with both parties that opportunity site LE 1(10) should be reviewed as to its continued designation for industry and business use, given the length of time that has elapsed since it was first designated for such use. It appears that there is very little demand for this site, although I am not aware of the extent of any marketing that has been undertaken. I note that the site would be effectively halved through PIM 30, with one half of the site being retained as an industrial/business opportunity site and the remainder being designated as a new housing opportunity site in Schedule H 1.
- 23.7 I also refer to my conclusion in paragraph 3.11 of section 3 above, that there appear to be more green field opportunities for housing development than exist in the Clydebank area, and therefore whilst I would not necessarily rule out further limited green field release for housing, I conclude that there is no demonstrated case for additional green field sites in Schedule H 1.
- 23.8 In addition, there is already a green field housing site adjacent to the objection site, to the west, this being site H 1(17). However, I am conscious that the proposed new housing allocation is for a limited release of housing land mainly on land already designated in the local plan as an industrial/business opportunity site, which would relate reasonably well to site H 1(17) to the west. Although the boundary has been slightly extended to the east beyond the disused railway line, there is little further encroachment on to green belt land. I therefore find that the allocation of the additional housing site is a reasonable response on behalf of the council to this objection.
- 23.9 However, I am more concerned about the proposed extension to accommodate the future expansion of the timber yard, which is now designated to the east of the timber yard through PIM 30. This is a field currently in agricultural use, and is part of a general area of agricultural pasture land to the east of the existing urban edge, which assists in maintaining the landscape setting of the eastern edge of Jamestown. This land meets green belt objectives, as confirmed in the green belt review where the site of the proposed extension is part of site 67. I note that the green belt review does indicate that the western boundary of site 67 is poorly defined, which I accept to some extent, although there is a band of mature trees along the eastern boundary of the timber yard. In any event, this is insufficient justification for the loss of the land in question from the green belt.
- 23.10 I appreciate that this is a relatively small area, but I see no overriding need for the land to be designated for development. I find that the site currently designated as LE 1(10) through PIM 30 could be retained for an appropriate future expansion of the timber yard, and that this would better relate to the existing urban edge of Jamestown. Given my finding in paragraph 23.6 above, I do not see any convincing evidence to support the retention of a general industrial or business opportunity site at this location.

23.11 I therefore conclude that opportunity site LE 1(10) should be retained as an industrial and business opportunity within Schedule LE 1, but should be specifically reserved for the future expansion of the timber yard (under category 4), with the new Policy LE 1B proposed through further PIM 30A referring to opportunity site LE 1(10) as opposed to LE 1(20), with appropriate textual modifications. The housing site proposed within Schedule H 1 should be retained, but opportunity site LE 1(20) should be deleted and the site designated as green belt.

**RECOMMENDATIONS**

23.12 Opportunity LE 1(10) and the proposed new housing opportunity should be retained in accordance with PIM 30, and new Policy LE 1B should be included in accordance with further PIM 30A, subject to this policy referring to opportunity LE 1(10) rather than LE 1(20), with appropriate textual modifications, and with the reasoned justification being adjusted accordingly.

23.13 Opportunity LE 1(20) should be deleted from Schedule LE 1 and the site should instead be designated as green belt under Policy GB 1.



**24 HOUSING POLICIES IN THE LOCAL PLAN**

**Policies H 1 (Schedule H 1) and H 4; PIMs 14 and 47: Housing Policies in the Local Plan**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**National Grid Property Holdings Ltd/Scotland Gas Networks per Montagu Evans**

**BACKGROUND**

- 24.1 Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. Policy H 4 sets out standards for housing development. The objector seeks an alteration to the supporting text for Policy H 4, and an alteration to the means of identifying the capacity of sites in Schedule H 1.

**SUMMARY OF CASE FOR OBJECTOR**

- 24.2 For **National Grid Property Holdings Ltd/Scotland Gas Networks** it is submitted that in addition to the criteria set out in Policy H 4, the quantum and mix of development together with the content and timing of any planning gain package should also be informed by viability considerations in order to ensure deliverability. Specifically, and consistent with the provisions of PAN 33, the local plan should recognise the higher costs associated with bringing contaminated sites forward for redevelopment and make reference to the need for flexibility in seeking planning gain at such sites.
- 24.3 In addition, it is submitted that the yield from individual sites in Schedule H 1 should be the result of a master planning exercise. In this respect reference is made to the objector's interest in housing site H 1(16), at Castlegreen Street, Dumbarton, and to planning applications before the council on areas of the site outwith the objector's control. With respect to PIM 47, it is submitted that the part of the site within the objector's control could accommodate more than the residual number of 88 units after deducting the amount covered by the planning applications referred to above.

**COUNCIL RESPONSE**

- 24.4 For **West Dunbartonshire Council** it is submitted that Policy H 4 indicates the standards that should be met within all new housing developments in order to achieve satisfactory residential environments. The policy does not specify planning gain requirements. These standards should be met on all sites regardless of any abnormal costs that might have to be taken into account when a site is developed. PAN 33 requires contamination issues to be taken into account when determining planning applications; it does not suggest that local plans should specifically recognise the higher costs of contamination or make reference to the need for flexibility in seeking planning gain. In order to clarify the position with regards to the development of contaminated land, a PIM has been made to Policy GD 1 (PIM 14), to indicate that suitable remediation measures are required to be

undertaken on all contaminated sites as required by PAN 33. However, no change is proposed to the supporting text for Policy H 4.

- 24.5 The objector's interest in site H 1(16) is part of the overall site, which has an indicative capacity of 150 units. The two more easterly sections of site H 1(16) are within the control of a developer, and detailed applications have been submitted for both these sections. Given this progress, site H 1(16) will be amended (PIM 47) to indicate an indicative capacity of 230 units. This allows for development on the area of interest to the objector with a similar density to that already with consent on the remainder of the site.

### CONCLUSIONS

- 24.6 I agree with the council that the purpose of Policy H 4 is not to seek planning gain, but is rather to specify the requirements for new housing development in the interests of achieving good quality new housing within the local plan area. I therefore conclude that there is no reason why the supporting text should refer to the content and timing of any planning gain package, or state that such should be informed by viability considerations in order to ensure deliverability; even though I recognise the higher costs associated with brown field sites where contamination is an issue. However, the change to Policy GD 1 and the reasoned justification proposed by the council (through PIM 14) is informative and therefore helpful.
- 24.7 With respect to Schedule H 1, I am sure that where master plans are prepared for major development sites, these will indeed inform the capacity of the site. However, I conclude that it is important to provide an indicative capacity for each site identified in the schedules relating to Policy H 1, based upon the most up to date information available, so that the effective land supply provided by the local plan is sufficiently quantified in the context of SPP 3 (revised 2008). I also conclude however that the council is correct to change the capacity for site H 1(16) to 230 units (through PIM 47) based upon the current known position, and a pro-rata amount for that part of the site in which the objector has an interest. I accept that it is possible that the eventual figure may be higher, and the schedules relating to Policy H 1 clearly state that the capacity is indicative.

### RECOMMENDATION

- 24.8 Policy GD 1 and the reasoned justification should be modified in accordance with PIM 14, and the indicative capacity of housing opportunity H 1(16) should be changed to 230 units in accordance with PIM 47, but otherwise there should be no modification to the local plan with respect to these objections.**

25 POLICY FOR SOCIAL HOUSING OPPORTUNITIES IN THE LOCAL PLAN

**Policy H 3: Policy for Social Housing Opportunities in the Local Plan**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Dalmuir Park Housing Association**

**BACKGROUND**

- 25.1 Policy H 3 of the local plan refers to social housing opportunities, and states that the council will encourage developments by registered social landlords by allocating sites for social rented housing. Such sites are identified in Schedules H 3 and H 4 for Dumbarton and the Vale of Leven and Clydebank and the villages respectively. The objector seeks increased provision for social rented housing in Schedule H 4 and an alteration to the definition of affordable housing.

**SUMMARY OF CASE FOR OBJECTOR**

- 25.2 For **Dalmuir Park Housing Association** it is submitted that the social rented housing opportunities are too restricted and are not in popular locations. In particular opportunities for such housing should be increased in Dalmuir and Old Kilpatrick, and as part of any riverside development. It is also believed that the definition of affordability is inappropriate because it includes low cost private housing, which is not considered affordable by many people.

**COUNCIL RESPONSE**

- 25.3 For **West Dunbartonshire Council** it is submitted that the social rented opportunities in the Clydebank area identified in the local plan are adequate, and the land supply has the scope to continue to provide opportunities commensurate with the availability of investment funding. The sites identified for social rented housing are not dissimilar in location or character to those identified for private sector housing. The local plan reflects national policy in relation to the definition of affordable housing in including low cost private housing.

**CONCLUSIONS**

- 25.4 SPP 3 (revised 2008) in paragraph 91 defines affordable housing as housing of a reasonable quality that is affordable to people on modest incomes. A list of types of affordable housing is given and this clearly includes low cost private sector housing. I therefore find that the local plan reflects national policy in its definition of affordable housing, and that no modification to the local plan is required in this respect.
- 25.5 However, I recognise that the provision of 319 houses for the Clydebank area under the category of social rented housing and listed in Schedule H 4 may seem small in relation to the private sector housing opportunities listed in Schedule H 2. In this respect the council has indicated in its evidence that there is increased provision on some sites in

Schedule H 4 and that some private sector sites in Schedule H 2 are expected to provide an element of social rented housing. I am sure that the council intends to include the most up to date position in the schedules when the local plan is adopted, but for the avoidance of doubt I include this in my recommendations to the council.

- 25.6 Otherwise, I accept that the council can only provide sites within Schedule H 4 that show a level of commitment, either through planning permission being granted or through being included in the strategic investment programme. In any event, inclusion in the local plan is not the end of the matter, as the council clearly intends to review the situation following the revised housing requirement methodology proposed by SPP 3 (revised 2008). If a further need is identified the council intends to consider the preparation of supplementary planning guidance.
- 25.7 In overall terms, I therefore conclude that there is no requirement to modify the local plan as a result of this objection, other than to ensure that all sites and capacities that show a commitment to the provision of social rented housing at the time of adoption of the local plan are included in Schedule H 4.

### **RECOMMENDATION**

- 25.8 Schedule H 4 should include all sites and capacities that show a commitment to the provision of social rented housing at the time of adoption of the local plan.**

**26 HOUSING OPPORTUNITY SITE AT CROSSLET HOUSE, DUMBARTON**

**Policies H 1 and T 3, Opportunity H 1(12); PIMs 54 and 60: Housing Opportunity Site at Crosslet House, and proposed new junction on the A82**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTORS**

**Dumbarton East and Central Community Council  
Silverton and Overtoun Community Council**

**BACKGROUND AND SITE DESCRIPTION**

- 26.1 Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. This site is included in Schedule H 1 as site H 1(12) with an indicative capacity of 120 houses, and is designated as a housing site on the relevant proposals map. However, through PIMs 54 and 60, the size of the site has been reduced to leave a woodland strip between the A82 and existing housing to the west and the site capacity has been reduced to 80 units. The objectors seek the deletion of the site from Schedule H 1, and the deletion of the associated junction on the A82 proposed through Policy T 3.
- 26.2 The site is shown on map 19 below, and constitutes the grounds of Crosslet House, which is a traditional sandstone building currently used as a nursery school. There is a small car park which is accessed from a cul-de-sac off Argyll Avenue. The grounds otherwise comprise a formal well maintained garden to the south of the house, which is surrounded by a more informal area of rough grass and scrub woodland, extending both east and west of the house, and down to the Gruggies Burn.

**SUMMARY OF CASE FOR OBJECTORS**

- 26.3 For **the objectors** it is submitted that the proposed housing site is contrary to policies RD 1, GN 1, GB 1, R 1, RD 1, GN 1, SUS 1, H 5, E 3A, E 5, E 6, and E 7 of the local plan. In particular it is submitted that the site should be included within the green belt. There is concern about the loss of the site to the green network, the loss of trees and the effect on the SINC and ancient woodland. In this respect the proposed housing site is not considered sustainable in the context of Policy SUS 1. There is also concern about the identified capacity of the site for 120 houses in terms of the character and residential amenity of the area.
- 26.4 It is also submitted that the proposed junction on the A82 in the vicinity of Crosslet, proposed through Policy T 3 of the local plan, would cause increased harmful transport pollution in close proximity to residential areas which would be contrary to the Local Transport Strategy 2006-2009. The proposed roundabout would be an incentive to developers interested in housing site H 1(12).

## **COUNCIL RESPONSE**

- 26.5 For **West Dunbartonshire Council** it is submitted that the residential potential of this site is currently recognised in the adopted Dumbarton District Wide Local Plan, and there has been no change in circumstances to suggest that this development potential should be withdrawn. The boundaries and capacity of the site have both been reduced during consultation to protect the green network and the adjacent SINC and ancient woodland. The land proposed for development is not part of the green belt, the green network, or functional open space.
- 26.6 The reference in Schedule T 3 to a proposed junction in the vicinity of Crosslet would only be implemented if the proposed development at Crosslet required the junction. The junction could improve the circulation and air quality in the area but this would be established in a STAG appraisal. The scheme has been included in Schedule T 3 as it is related to the housing opportunity site at Crosslet and this would comply with SPP 17.

## **CONCLUSIONS**

- 26.7 To set the general context, I consider this to be a green field site on the edge of the existing built up area. I accept that apart from the well maintained garden area, the site generally appears to be unused, although it is probably used informally by the local population for walking and access to the Gruggies Burn and the countryside beyond. I note that it is adjacent to a SINC and ancient woodland. Although the council has indicated that it is within the urban area and not part of the green belt, I find that this is a key issue for consideration in relation to these objections.
- 26.8 I believe that there are essentially 3 alternatives to consider; it could remain as a housing site within the urban area, it could be designated as open space under Policy R 1 within the urban area, or it could be designated as green belt in which case it would be outwith the urban area, and would be an addition to the small strip of green belt that is already designated in the local plan along the Gruggies Burn. With respect to the new junction on the A82 trunk road proposed through Policy T 3, the council states that this is only required for the new housing site, and so would not be required in the event that the housing site is deleted. This matter is considered commencing in paragraph 26.20 below.

## **Housing Land Supply**

- 26.9 I am conscious that there is a surplus of housing land within the Dumbarton and Vale of Leven area, and therefore the retention of this site for housing is not an overriding consideration in this context. However, the difference between this and other potential green field housing sites being considered in this report is that the majority of this site is already included for housing in the existing adopted local plan and is therefore already part of the existing housing land supply. The planning issues should have already been examined in this context.
- 26.10 Generally, and for the sake of consistency, it is better to continue housing sites from existing local plans. However, this is not an overriding consideration either, because this is a replacement local plan, and sites in the existing adopted local plan not yet committed are subject to review. Although outline planning permission for housing was granted in 1980, I assume that this has now expired.

26.11 In the circumstances, I find that the correct approach is to assess whether or not a site for 80 houses at this location would cause any significant adverse environmental impacts that would justify the site's deletion or reduction in terms of its size or density. However, subject to the avoidance of significant adverse environmental impacts, this green field site would contribute to the effective land supply and provide an alternative location to the formerly industrial brown field sites in the central area of Dumbarton and at Strathleven, increasing the choice of new housing available in the context of SPP 3 (revised 2008).

### **Environmental Considerations**

26.12 I note in the green belt review that the inner green belt boundary is considered to be sufficient for its purpose at this location. However, it appears that the objection site has not been considered for possible inclusion in the green belt, presumably because of the site's designation as a housing opportunity site in the local plan. Nor has the finger of green belt extending to the A82 along the Gruggies Burn been considered.

26.13 The actual boundary between the objection site and site 46 in the green belt review is quite well defined by the woodland in site 46, but there is nevertheless a gradual transition from the open space forming the grounds of Crosslet House into the woodland and then more open countryside characterised by sites 45 and 46. The objection site therefore assists in maintaining the landscape setting of the urban edge, although I do not consider that it is essential in this respect. The site also provides limited informal access from the housing to the west and north to the wider countryside, but there are clearly other routes available including the core paths referred to in the council's evidence.

26.14 On balance, I find that the site meets green belt objectives as set out in paragraph 6 of SPP 21 to a limited extent. However, the use of the site, being the grounds of a large traditional sandstone building, is more related to an urban green space than a rural green space. I also find that housing development on the site, of a suitable layout and design, retaining as many trees as possible particularly along its boundaries, would not have a significant adverse effect on the landscape setting of the urban edge.

26.15 There is also the option of retaining the site as open space within the urban area, designated under Policy R 1 of the local plan. For this to occur the land does not have to be formalised open space. Although the site (apart from the garden area immediately south of the house) is essentially unmanaged rough grass and scrub woodland, it enhances rather than detracts from the amenity of the area. A judgement therefore has to be made as to the value of this area of open space, and whether or not its loss to housing development would have a significant adverse impact on the amenity of the area. If it is retained as open space, it would form part of the green network of open spaces.

26.16 The nature of the site is such that it obviously provides a habitat for local wildlife species. However, the site is not located within the SINC to the south and east of the site, and I understand that in the context of the nature conservation strategy currently being prepared, the boundaries of this SINC are not expected to change. The site therefore has limited nature conservation value. My understanding is also that the ancient woodland does not extend into the site. SNH has no outstanding objection to the designation of this site for housing.

- 26.17 Following on from the above, I find that there is insufficient justification to insist on the retention of the existing area of open space, either as part of the green belt or as open space within the urban area under Policy R 1, and that there is therefore insufficient justification for the deletion of the housing site from the local plan. This is particularly the case given my finding in paragraph 26.9 above. Nevertheless, the density of housing development on the site is of concern, and I refer to my qualified finding in the last sentence of paragraph 26.14 above.
- 26.18 In order to protect the visual and residential amenity of the area, the integrity of the SINC and ancient woodland to the south and east, and to retain access into the wider countryside beyond the site, I consider that low density housing should be preferred for the site. High density housing would in my view be likely to have an adverse effect in terms of the above. As an aside, low density housing would also assist in providing choice; given that most of the housing on brown field sites is high density.
- 26.19 Even the reduced number of 80 units proposed by the council through PIMs 54 and 60 therefore appears too high. I would suggest that it is necessary to take a precautionary approach on this matter. I find that the number of units should probably be halved, bearing in mind that this is only an indicative figure, and that possibly more units could be achieved on the site in meeting the above environmental considerations. However, I consider that it is important to view this site as a low density housing site. For the avoidance of doubt, I also find that the areas excluded from the site through PIMs 54 and 60 should be designated as open space within the urban area under Policy R 1, to link in with the green network provided by the Gruggies Burn corridor. In this respect, it is desirable that a strip of open space adjacent to the A82 is designated as part of this open space, in order to link in with the Gruggies Burn corridor. This is shown on map 19 below, and approximately equates to the band of mature trees along the southern boundary of the site. I am unsure how many of the existing trees can be retained, but as many as possible should be.

### **Proposed new Junction on the A82 at Crosslet**

- 26.20 There is limited information to enable me to form a conclusion on this matter. I have some concern about an additional junction on the A82 trunk road, given that the council has led evidence in relation another potential housing site that there is a presumption against additional junctions on this trunk road in the context of SPP 17. However, I am conscious that there is a letter from Transport Scotland to the council which indicates that this new junction may provide road safety benefits, and that the principal of the junction is established in this instance.
- 26.21 The presumption against additional junctions on the A82 is therefore insufficient to justify a conclusion that the proposed new junction should be removed from the schedule under Policy T 3. However, it may provide a further indication that a lower density on site H 1(12) should be preferred, in order to reduce the amount of additional traffic generated onto the A82 trunk road. I have insufficient evidence to form any conclusion about the likely effect on air pollution.

## Overall Conclusions

26.22 In overall terms, I conclude that there is insufficient justification to delete housing opportunity site H 1(12) from Schedule H 1 of the local plan, and to designate the site either as green belt or as open space under Policy R 1 of the local plan. However, I also conclude that in order to protect the visual and residential amenity of the area, the integrity of the SINC and ancient woodland to the south and east, and to retain access into the wider countryside beyond the site, low density housing development should be preferred for the site. In addition the areas excluded from the housing site through PIMs 54 and 60 should be extended and designated as open space under Policy R 1. I also conclude that there is insufficient evidence to justify the deletion of the proposed new junction on the A82 trunk road from Schedule T 3 of the local plan.

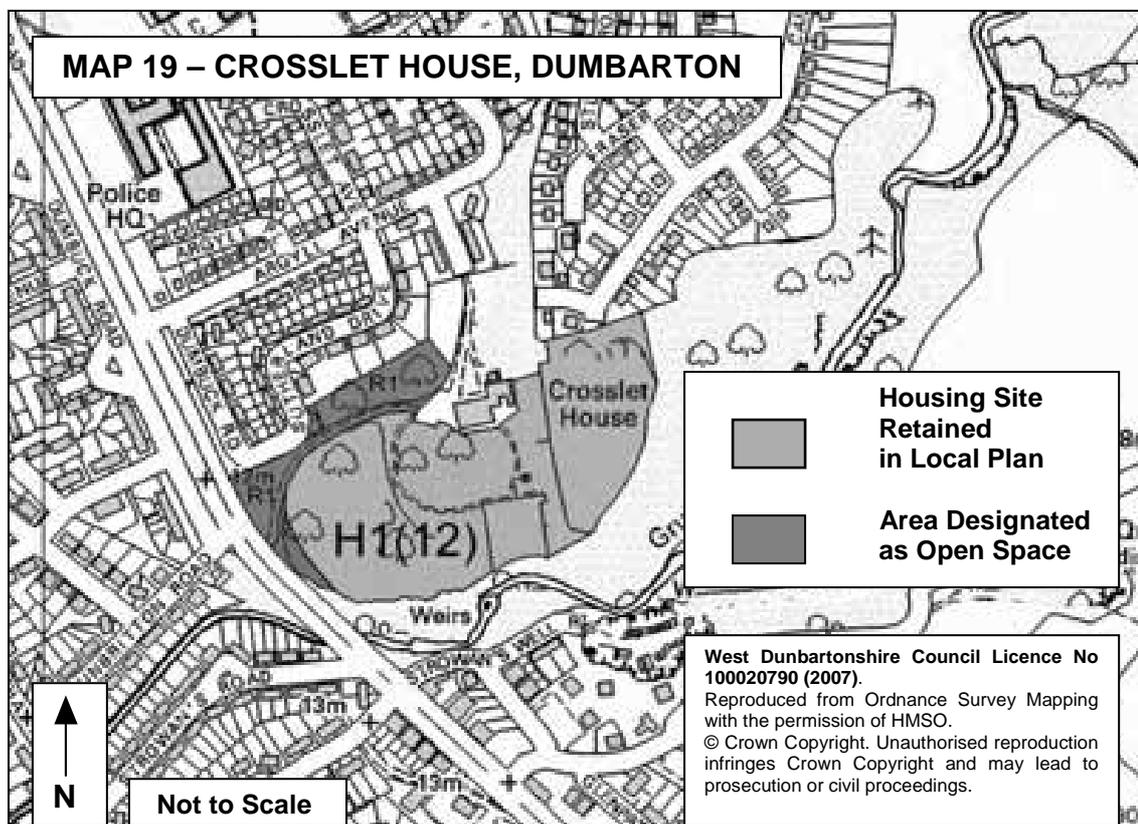
## RECOMMENDATIONS

26.23 The site at Crosslet House, Dumbarton, should be retained as housing opportunity H 1(12) in Schedule H 1, and should not be designated as green belt under Policy GB 1 or as open space within the urban area under Policy R 1.

26.24 The indicative capacity for the site should be reduced to 40.

26.25 The area excluded from the housing opportunity site through PIMs 54 and 60 should be extended and designated as open space under Policy R 1, as shown on map 19 below.

26.26 The proposed new junction on the A82 trunk road at Crosslet should be retained in Schedule T 3.



**27 HOUSING AND PUBLIC SERVICES OPPORTUNITIES, LEVENBANK TERRACE, JAMESTOWN**

**Policies H 1 and PS 3; Opportunities H 1(17) and PS 3(8) and PIM 41: Housing and Public Services Opportunities at Levenbank Terrace, Jamestown**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTORS**

**Jamestown Community Group**

**Mr Joseph Callaghan**

**Mr Thomas Wotherspoon**

**Maureen and James McLean**

**Ms Catherine McKenzie**

**Ms Claire Callanin**

**Mr P Noonan**

**Mrs A Williams**

**S A McCulloch**

**BACKGROUND AND SITE DESCRIPTION**

- 27.1 Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development. Opportunities for the development of public services are encouraged under Policy PS 3 and listed in Schedule PS 3.
- 27.2 The majority of this site is identified as housing opportunity site H 1(17) with an indicative capacity of 75 houses, and with a small part at the northern end of the site identified as opportunity PS 3(8) for a community facility. The objectors seek the use of the site for community facilities or business use, or at least a reduction in the area of the housing site and an extension of the area allocated for community facilities. All of these objections have been conditionally withdrawn subject to the PIM referred to in paragraph 27.5 below.
- 27.3 The site is shown on map 20 below, and is an area of rough overgrown grassland extending from the existing industrial uses in the north, which are accessed by a cul-de-sac from Main Street, to the timber yard in the south, the main access for which is taken from Auchincarroch Road. The site is generally level and appears to be used informally for walking by the local population.

**SUMMARY OF CASE FOR OBJECTORS**

- 27.4 For **the objectors** it is submitted that that there are too many houses being built in the Jamestown area; there are not enough recreational facilities and the objection site should be used for community needs, or at least the area for this should be larger to provide amenities for the community, and particularly to provide recreation facilities for younger people. There is also a view expressed that the site should be identified for business use in order to provide jobs.

## COUNCIL RESPONSE

- 27.5 For **West Dunbartonshire Council** it is submitted that as a result of negotiations with the Jamestown Community Group, it has been agreed that the H 1(17) site will be reduced in size. The amended site will reflect the boundary in the submission on behalf of Jamestown Community Group. The area excluded from residential development will be identified on the proposals map and in Schedule PS 3 as an opportunity site for community/recreation facilities. These changes are reflected in PIM 41.

## CONCLUSIONS

- 27.6 This is a green field site which has now generally fallen into disuse, although it appears to be used by local people for informal recreation such as walking dogs. However, it is well related to the existing urban area and housing development would not extend the urban edge further east than it is at the present time. Such development would therefore not have a significant adverse impact on the landscape setting of the eastern urban edge of Jamestown. I do not believe that there is evidence of sufficient demand for more industrial or business land, and in this context I refer to my findings with respect to another objection site to the east, considered in section 23 above.
- 27.7 The site is probably too large to justify the whole of the site being designated for community facilities under Policy PS 3, and although I accept that it may be used for informal recreation, I do not consider this use of the site sufficient justification for its designation as open space under Policy R 1. I therefore conclude that the site should be retained as housing opportunity H 1(17), but I agree with the council's response through PIM 41 to increase the size of the area for community facilities within Schedule PS 3.

## RECOMMENDATION

- 27.8 **The site at Levenbank Terrace, Jamestown, should be retained as housing opportunity H 1(17), but the area designated for community facilities as opportunity PS 3(8) should be extended in accordance with PIM 41, and approximately as shown on map 20 below.**



**28 TOWN CENTRES AND RETAILING**

**Policies RET 1, RET 2, RET 3 and RET 5; PIMs 62, 63, 64, 65, 66 and 67 and further PIM 124: Town Centres and Retailing**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTORS**

**Aldi Stores Ltd per Turley Associates**

**Wm Morrison Supermarkets per GVA Grimley**

**Lidl UK GmbH per Hargest & Wallace Planning Ltd**

**Vico Property Group per Development Planning Partnership LLP**

**Glasgow & Clyde Valley Joint Structure Plan Committee**

**The Theatres Trust**

**Defence Estates**

**BACKGROUND**

- 28.1 Policy RET 1 applies to retail and leisure development within identified town centres, and states that they will be improved by directing all significant retail proposals to the designated town centres, as defined on the proposals map. However, this provision has been removed through PIM 62. The policy (as amended) requires any significant retail proposals (defined as over 1,000 sq ms for convenience and 2,000 sq ms for comparison) to be considered against specified criteria.
- 28.2 In the context of the alteration to Policy RET 1 referred to in paragraph 28.1 above, a new retail and town centre strategy policy has been introduced through PIM 65, which states that new town centre uses should adopt a sequential approach to site selection, with the first preference being the town centre, the second preference being edge of town centre, third preference being commercial centres and lastly out of centre locations; the latter only being considered if it can be demonstrated that the other options have been thoroughly assessed and discounted as being unsuitable or unavailable.
- 28.3 Policy RET 2 refers to retail developments in an out of centre location and detached from the town centre, and states that these will only be supported when specific criteria are met, including that all town centre, edge of centre and commercial centre options have been thoroughly assessed. Policy RET 3 states that the sites listed in Schedule RET 1 represent the retail development opportunities within the plan area. These opportunity sites will be supported by the council subject to conformity with the provisions of Policy RET 1 and other local plan policies.
- 28.4 Policy RET 5 refers to the protection of the retail core, and states that the council will seek to protect and enhance the retail and commercial function by encouraging the improvement of existing retail floorspace and supporting the establishment of new retail uses. In existing ground floor retail units along the core retail frontages (identified in maps for Clydebank and Dumbarton within the local plan) the council will only permit Class 1 uses.

- 28.5 The objectors all seek various changes to the above policies and/or the supporting text or reasoned justification for the policies. This section should be read in conjunction with my conclusions relating specifically to the Dumbarton Town Centre in section 29 below.

### SUMMARY OF CASE FOR OBJECTORS

- 28.6 For **Aldi Stores Ltd** it is submitted that retail assessments should not be required for developments less than 2,500 sq ms in town centres. SPP 8 states that an impact analysis should only be undertaken in support of retail development over 2,500 sq ms gross floorspace; only occasionally being necessary for smaller scale retail proposals which may be considered to have a significant impact on vitality and viability. The objector's stores should not require the same level of assessment as the larger general supermarkets and should fall below the threshold requiring a quantitative retail impact and capacity analysis.
- 28.7 With respect to Policy RET 2, too much emphasis is placed on quantitative retail impact and capacity analysis in the assessment of retail planning applications at the expense of a more qualitative analysis. A quantitative analysis can often bear little resemblance to reality on the ground. How people actually use a town centre can be much more effectively described in qualitative terms.
- 28.8 All town centres within the local plan area should identify "edge of centre locations" where certain forms of retailing and commercial development are deemed to be acceptable. These should be within easy walking distance of and usually adjacent to a town centre. They should highlight potential redevelopment opportunities, vacant land and suitable buildings where certain commercial developments, which cannot physically be accommodated in the town centre, may be considered in accordance with the sequential approach. The council should regularly produce an updated list of viable retail opportunity sites, to enable focussed site searching and a clear indication of sequential sites requiring analysis.
- 28.9 SPP 8 recognises the importance of town centre health checks, and states that monitoring the network of town centres, their activity and performance are all essential to the effective planning and management of town centres, as is keeping stakeholders informed of the results of such an exercise to enable a more proactive approach to development. The council should prepare regular town centre health checks for each of the town centres in the plan area.
- 28.10 For **Wm Morrison Supermarkets** it is submitted that retail use is a key contributor to the Scottish economy and convenience retail is a key aspect of this. The local plan should therefore allow sufficient flexibility to ensure that whilst some convenience retailers have adapted their formats to include smaller stores, there is still a requirement for larger format stores and these stores cannot always be accommodated in town centre locations. The policy framework within the local plan should reflect the structure plan in relation to town centre protection and enhancement and also in relation to the sequential approach.
- 28.11 It is acknowledged that town centres are the preferred locations for new retail development. However, this presumption is not always appropriate and not necessarily suitable for changing retail formats. Where town centre sites are identified for retail development, it is important that an indication should be provided to identify the type and

- scale of retail that is considered to be most appropriate. In doing so, this is more likely to ensure that the most appropriate retailer shall be attracted to the site.
- 28.12 For **Lidl UK GmbH** it is submitted that paragraph 7.42 in relation to Schedule RET 1 of the local plan suggests that the sites listed in Schedule RET 1 are the only retail development sites within the plan area. This conflicts with the sequential approach which emphasises that a town centres first approach should be adopted. Schedule RET 1 should include other non-strategic retail sites, including those identified within the town centre, edge of centre and other commercial locations. These additional sites should include the undeveloped northern part of the Lomond Outlet Centre, North Main Street, Alexandria. These objections have been conditionally withdrawn subject to the PIMs referred to in the council's response below.
- 28.13 With respect to the new retail policy proposed through PIM 65, "need" in a retail planning sense has specific connotations relating to concepts of average turnover/sales, densities and so on. The use of the phrase "retail need" is unfortunate and should be substituted with the appropriate phrase from Policy RET 1.
- 28.14 For **VICO Property Group** it is submitted that Policy RET 1 should be re worded. Given the potential uses of site GD 2(14), the policy is too onerous and some flexibility is needed in order to achieve a commercially viable redevelopment which also meets the aspirations of the design framework and other policy requirements such as parking and access standards. It is proposed that the policy should read: "*Designs should seek to integrate proposed development with its surroundings in terms of scale, materials and appearance, and attempt to create effective links with the surrounding urban fabric*".
- 28.15 For **Glasgow & Clyde Valley Joint Structure Plan Committee** it is submitted that "Finalised Alteration" of the GCVSP submitted to Scottish Ministers, not "Consultative Draft" as referred to in the local plan should be used. In addition there is no mention of Strategic Policy 1 or Schedule 1(a) in relation to Dumbarton or Clydebank as renewal priority areas, and these should mentioned in the local plan. These objections have been conditionally withdrawn subject to the PIMs referred to in the council's response below.
- 28.16 For **The Theatres Trust** there is an objection to the lack of protection and promotion for existing leisure facilities and the absence of any reference to cultural facilities. It is submitted that specific reference should be made to cultural facilities either in the town centres section or public services section or both. The local plan should provide sufficient protection to ensure continued theatre use within town centres particularly where buildings used for performance arts may not be covered by listing or conservation area designations, or may be affected by proposals which come forward for development sites. This should include performing arts facilities that stand alone, are part of other facilities, or are contained within educational or community buildings.
- 28.17 For **Defence Estates** it is submitted that Policy RET 5 should be amended to allow existing non-retail users to relocate to similar premises within identified prime retail frontages and renew their leases. Where businesses may need to relocate to new premises, this would normally trigger a requirement to apply for Class 2 consent, but under Policy RET 5, which restricts ground level town centre use to Class 1 retail use, the existing Class 2 businesses would not be allowed to continue operating in the town

centre. The footfall, income and employment these businesses generate for the local community would often not survive outside the town centre and be lost as a result.

### **COUNCIL RESPONSE**

- 28.18 For **West Dunbartonshire Council**, with respect to the objections on behalf of Aldi Stores Ltd, it is submitted that the Scottish Government is examining retailing methodologies in advance of a forthcoming PAN on Town Centres and Retailing Methodologies. Policy RET 2 lists the criteria required to be satisfied for retail development proposals in an out of centre location and detached from the defined town centre. Within this list, one of the criteria to be considered is the contribution the development would make to remedying quantitative and qualitative deficiencies. This criterion is also listed in Policy RET 1 and in doing so some consideration is given to qualitative factors. The council is awaiting the publication of the new PAN with a view to reviewing the approach to qualitative analysis and therefore deems it premature to alter the local plan policy at this moment in time.
- 28.19 It is considered necessary to request an impact assessment for retail proposals where the proposed floorspace is over the thresholds specified (1,000 sq ms for convenience and 2,000 sq ms for comparison goods) in order to make appropriate assessment and ensure that its town centres remain vital and vibrant as detailed within SPP 8. This approach is also in line with the GCVSP where the same thresholds are identified.
- 28.20 Sites suitable for retail development are made available as opportunities within the local plan where possible within Schedules RET 1 and GD 2. In order to assist the sequential approach, sites are identified at different locations in and around town centres where possible. Dumbarton and Alexandria both have retail opportunity sites identified where possible within the local plan. The council regularly provides an updated list of viable retail opportunities throughout the progression of the local plan. This is carried out by updating Schedule RET 1 with any new retail planning consents and Schedule GD 2 with any suitable redevelopment opportunities.
- 28.21 SPP 8 states that updated guidance on town centre health checks and vitality and viability indicators will be published in the future in the form of a PAN; as such the council is awaiting the publication of this adopted guidance to further review scope for carrying out such surveys and any effect this may have in relation to the local plan policies.
- 28.22 With respect to the objections on behalf of Wm Morrison Supermarkets it is submitted that Policy RET 2 reflects the objector's concerns by providing flexibility for retailers that cannot be accommodated on sites that are available or likely to become available in existing town centres, edge of centre or commercial centre locations.
- 28.23 The sequential approach is reflected in the local plan throughout Policies RET 1, RET 1A, RET 2 and the new policy proposed through PIM 65. This has been done in line with SPP 8 and the GCVSP where the same approach to the sequential test is reflected. Town centre protection and enhancement is outlined throughout chapter 7, more specifically in Policies RET 4 and RET 5, and also through the sequential approach. It is therefore considered that Policy RET 2 is flexible enough to give consideration to other sites in the relevant sequential order where the correct criteria has been adhered to.

- 28.24 Town centre development opportunity sites are identified in Schedules GD 2 and RET 1, and these include the size and proposed use where appropriate. Related supplementary planning guidance is available in relation to town centre sites which provides further detail as to the council's future aspirations and therefore should be consulted where necessary. The council considers that sufficient detail is provided within the schedules in order to identify and promote any opportunities or available sites.
- 28.25 With respect to the objections on behalf of Lidl UK GmbH it is agreed through PIM 63 to amend paragraph 7.42 to read: *“Retail development opportunities within the plan area include those identified in Schedule RET 3. These sites and other potential retail sites will require to satisfy all relevant policies contained in the local plan including policies RET 1, RET 1A and RET 2”*. In addition it is proposed through PIM 66 to amend Schedule RET 1 to include the Lomond Galleries, Alexandria, to reflect the current planning consent for retail floorspace at this site. It is also agreed to omit the word “need” in the new retail policy and replace with “retail assessment” to resolve any potential misunderstandings or implications of the phrase, through further PIM 124.
- 28.26 With respect to the objection on behalf of Vico Property Group it is submitted that design has an extremely important part to play in the development and regeneration of areas within towns. Design guidelines and relevant policies are in place so that new development enhances the plan area and its environmental quality in general, having regard to long term prospects and investment in people and places. It would not be appropriate to relax the wording of the policy as it is representative of other policies, and beyond this, is a reflection of national planning guidance. Policy RET 1 is supportive of Policy GD 1. This latter policy provides more specific guidance on design and should be adhered to. The council therefore does not consider that Policy RET 1 is overly onerous.
- 28.27 With respect to the objections on behalf of Glasgow & Clyde Valley Joint Structure Plan Committee, the “Finalised Alteration” of the GCVSP will be referred to. It is also agreed through PIM 64 to amend Paragraph 7.12 as follows: *“Dumbarton town centre, as identified through Strategic Policy 1, is particularly highlighted as a renewal priority reflecting the level of exported expenditure from the town centre. Clydebank Town Centre is also identified as a renewal priority, where there is a strategic requirement for additional comparison floorspace by means of restructuring and upgrading”*.
- 28.28 With respect to the objection on behalf of The Theatres Trust it is submitted that local plan policy recognises the key role of both leisure and cultural facilities and in doing so aims at directing these services towards town centre and commercial centre locations, where such facilities contribute towards creating vital and vibrant town centres. Also, sites deemed suitable for leisure and commercial development are promoted through Schedule GD 2 where redevelopment opportunities are identified. The council recognises the importance of community facilities and these are protected through the public services policies where no community facilities are lost without having regard to the need and impact within the community.
- 28.29 With respect to the objection on behalf of Defence Estates it is accepted that Policy RET 5 only permits Class 1 uses at ground floor level. However, the policy allows changes from shops to non-retail uses where it can be demonstrated that such a change would reinforce and revitalise the town centre and would not adversely affect the character and amenity of the area. Also, the policy does not prevent existing non-retail

users continuing to operate from other existing premises outwith the retail core but still in the identified town centre area. Leases are not a direct matter for the local plan.

## CONCLUSIONS

### **Policy RET 1 and the New Retail and Town Centre Strategy Policy**

- 28.30 For an assessment against the criteria in Policy RET 1 to be required, a proposal would be over 1,000 sq ms of convenience retail floorspace, or 2,000 sq ms of comparison floorspace. I believe that the reference to 2,500 sq ms on behalf of Aldi Stores Ltd relates to a different matter; that being impact analysis of retail and leisure development outwith a defined town centre as referred to in paragraph 40 of SPP 8. In paragraph 38 of SPP 8 it is stated that all proposals should be rigorously assessed against the development plan and national policy. Schedule 9 of the GCVSP refers to the criteria stated in Policy RET 1 as likely to be significant.
- 28.31 However, I believe that an assessment of smaller convenience retail developments, but still over 1,000 sq ms, against the criteria set out in Policy RET 1 would be a more simple and straightforward matter than for a larger proposal. For example, the first 2 bullet points are likely to be readily met by a smaller proposal. On the other hand, quality of design is likely to be just as important and would probably need to be addressed in more detail. I therefore find that the level of floorspace at which a proposal becomes significant in respect of the criteria set out in Policy RET 1 is set at a realistic level.
- 28.32 I have some sympathy with the view expressed about identification of edge of centre locations, and this matter is also referred to in respect of specific objections relating to the Dumbarton Town Centre in section 29 below. I refer particularly to paragraph 29.39 where I find that it is not possible to accurately define edge of centre locations on a map, and that this depends on the circumstances of the case. In any event, the council has provided a list of what it considers to be viable retail opportunity sites in Schedule RET 1; and in addition retail uses feature in the schedule of redevelopment opportunity sites in Schedule GD 2. Any suitable site within an edge of centre location should therefore be identified in these schedules.
- 28.33 Health checks are referred to in paragraph 35 of SPP 8, which identifies such as the appropriate monitoring tool to measure the strengths and weaknesses of a town centre and to analyse the factors which contribute to its vitality and viability. I accept that the council needs to await the new PAN before finalising its methodology for carrying out such health checks, but nevertheless I find that it would be helpful to include a sentence indicating that it intends to undertake health checks in accordance with the provisions of SPP 8 at the end of paragraph 7.38 of the reasoned justification.
- 28.34 I note and agree with the council's intention through further PIM 124 to replace the word "need" with "retail assessment" in the new policy introduced through PIM 65, which satisfies the objection on behalf of Lidl UK GmbH on this particular point, and reduces the possibility of any misunderstanding arising in relation to this matter.
- 28.35 The objection on behalf of VICO Property Group seeks an alteration to the penultimate paragraph of Policy RET 1 which relates to the design of development and its integration with the surrounding urban fabric. I find that it would be better to frame this paragraph in

positive terms, but the policy should avoid using vague terminology such as “seek to” or “attempt to”. My suggested wording for this paragraph of the policy is set out in my recommendations.

- 28.36 I agree with the reference in paragraph 7.12 to both the Clydebanks and Dumbarton Town Centres in relation to Strategic Policy 1 of the GCVSP, as proposed through PIM 64, to meet the terms of the objection on behalf of the Glasgow and Clyde Valley Joint Structure Plan Committee, and I note the deletion of the term “consultative draft” from the reference to the GCVSP in the same paragraph through PIM 67.
- 28.37 I note that the council states in its response to the objection on behalf of The Theatres Trust that local plan policy directs leisure and cultural facilities towards town centre and commercial centre locations. This is perhaps somewhat undermined through the deletion of the first sentence of Policy RET 1 by PIM 62. In any event, the first preference within the new retail and town centre strategy policy, introduced through PIM 65, could be made a little more robust in relation to cultural facilities. I find that it would be beneficial to amend the first sentence of the new retail policy by referring to: “*New retail, commercial, leisure, cultural and public service developments and any other key town centre uses...*”. It would also be helpful to include a further reference to this somewhere in the reasoned justification, but I leave this matter to the council’s discretion.

### **Policy RET 2**

- 28.38 Policy RET 2 states that proposals for retail development in an out of centre location will only be supported when it can be satisfactorily demonstrated that (in addition to meeting other criteria) the proposal would contribute to remedying any quantitative or qualitative deficiencies in the existing retail provision. Notwithstanding the objection on behalf of Aldi Stores Ltd, I find that the policy does not give more weight to one or the other type of deficiency and that both are equally important. Policy RET 1 requires proposals within town centres to be assessed against a similar criterion.
- 28.39 It is perhaps the case that more attention within retail assessments has in practice been given to quantitative deficiencies, but this is likely to be addressed in the forthcoming PAN, and will be more a matter for implementation rather than policy formulation. I accept however that once the PAN is published, it may be helpful to reflect key elements in the retail policies or reasoned justification. However, I find that this is a matter for the next local plan review. I therefore find that there is no requirement at this time to modify Policy RET 2, Policy RET 1 or the reasoned justification for these policies in this respect.
- 28.40 I agree with the council that the structure of the retail policies in the local plan, particularly with the introduction of the proposed new retail policy through PIM 65, fully reflects the strategic framework provided by the GCVSP, and the sequential approach in the context of SPP 8. However, I believe that the objection on behalf of Wm Morrison Supermarkets is essentially seeking more flexibility in Policy RET 2 to allow for larger convenience retail stores in out of centre locations.
- 28.41 The text of Policy RET 2 states that such will only be supported where a number of criteria are met. The key here is the first bullet point, which requires proposals to show that all town centre, edge of centre and commercial centre locations have been thoroughly assessed and discounted as unsuitable or unavailable. I believe that this is the

correct approach, but where it is clear that, for example, a large convenience store cannot be located within one of the preferred locations, then subject to other matters (including that there is no significant adverse impact on the vitality and viability of existing centres) it is possible that such would be allowed in an out of centre location. In my view this meets the essential thrust of the objection on behalf of Wm Morrison Supermarkets.

### **Policy RET 3**

- 28.42 Policy RET 3, within Schedule RET 1, lists the known retail opportunities within the local plan area. By definition this includes locations within and outwith town centres, as well as edge of centre locations referred to in paragraph 28.32 above. As far as town centre locations are concerned, all suitable development sites should be included in this schedule, thus meeting the objection on behalf of Wm Morrison Supermarkets.
- 28.43 Schedule RET 1 also includes the size of a retail development opportunity where this is known. I consider that this, together with the comments set out in relation to each site, provides sufficient information about the sites available. I accept that this is only a list of known sites, and I therefore agree with the proposed alteration to paragraph 7.42 through PIM 63, which makes it clear that there may be other suitable sites available, and meets the objection submitted on behalf of Lidl UK GmbH on this matter.
- 28.44 However, Schedule RET 1 should be updated to reflect the known position at the time the local plan is adopted. I note and agree with the council's intention to include the site at the Lomond Galleries, in Alexandria, through PIM 66. This need for updating also applies to Schedule GD 2, which includes retail development on appropriate sites as part of mixed use redevelopment opportunities.
- 28.45 I also believe that some confusion arises from the title of Schedule RET 1, which is actually referred to as Schedule RET 3 in the first line of paragraph 7.42. Whilst I recognise that it is the only schedule within the retail policies, I believe that it would be more logical to refer to this schedule as Schedule RET 3, since it relates to the policy with that number. This would avoid any confusion arising on this matter in the future.

### **Policy RET 5**

- 28.46 The objection on behalf of the Defence Estates seeks a change to Policy RET 5, which restricts further non-retail use at ground floor level within the core retail frontages of Clydebank and Dumbarton, which are defined on maps for both centres. For the avoidance of any doubt however, and notwithstanding the terms of the objection on behalf of the Defence Estates, this does not apply to areas of the town centre outwith the retail core. Policy RET 5 is a corollary to the restriction on retail development outwith town centres in Policy RET 2, and is therefore important in the context of the sequential approach to retail development within town centres.
- 28.47 Following on from the above, Policy RET 5 accepts the continuation of any non-retail uses that already occupy ground floor locations within the core retail frontages. The policy also allows the relocation of non-retail uses to ground floor premises outwith the core retail frontages within town centres. In addition, the policy in any event allows changes of use from Class 1 retail use to non-retail use where it can be satisfactorily

demonstrated that such a change would reinforce and revitalise the centre and would not adversely affect the character and amenity of the area.

- 28.48 I find that this is an entirely reasonable approach to the issue, but also that the second sentence of the policy conflicts with the requirements of the third sentence because it states (categorically) that the council will only permit uses within Class 1 in existing ground floor units. I find that this needs to be amended, and a more appropriate form of words would be “there will be a presumption against” any change of use from Class 1 to non-retail use. An appropriate form of words is included in my recommendations. This would fit in well with the reasoned justification as it is currently worded.

### **Overall Conclusions**

- 28.49 I conclude that the level of floorspace at which a proposal becomes significant in terms of the criteria to be met in Policy RET 1 is set at a realistic level. I also conclude that it is not possible to accurately define edge of centre locations on a map, and that this depends on the circumstances of the case. In any event, any suitable edge of centre retail site should be included in Schedules RET 1 and GD 2.
- 28.50 I conclude that a sentence indicating that the council intends to undertake health checks in the context of paragraph 35 of SPP 8 should be included at the end of paragraph 7.38 of the reasoned justification for Policy RET 1. The words “retail assessment” should replace the word “need” in the new policy introduced through PIM 65. The penultimate paragraph of Policy RET 1 should be reworded in more positive terms, but should avoid vague terms such as “seek to” or “attempt to”.
- 28.51 Clydebank and Dumbarton Town Centres should be referred to in the context of Strategic Policy 1 of the GCVSP in paragraph 7.12 as proposed through PIM 64. The words “consultative draft” should be omitted from paragraph 7.12 as proposed through PIM 67. The first sentence of the new retail policy should be amended to refer to new retail, commercial, leisure, cultural and public service developments and any other key town centre uses. Any related change to the reasoned justification should be considered at the council’s discretion.
- 28.52 I conclude that there is no requirement at this time to further define qualitative deficiencies in Policy RET 2 or the reasoned justification, and that there should otherwise be no change to the provisions of Policy RET 2 which already allows retail development where it is clearly demonstrated that such development cannot be located in any of the preferred locations under the sequential approach.
- 28.53 Paragraph 7.42 of the reasoned justification for Policy RET 3 should be amended as proposed through PIM 63. In addition, the schedule under Policy RET 3 should be updated to reflect the known position at the time the local plan is adopted. This need for updating also applies to Schedule GD 2 where retail development opportunities are included. The site at the Lomond Galleries, Alexandria should in any event be included in the schedule under Policy RET 3 in accordance with PIM 66. Schedule RET 1 should be renamed Schedule RET 3 to avoid any future confusion, and should be referred to as such wherever the schedule is referred to in the text of the local plan.

28.54 I conclude that the second sentence of Policy RET 5 should be amended using terminology such as: *“there will be a presumption against any change of use from Class 1 to non-retail use”* so that this sentence does not conflict with the third sentence of the policy. No change is required to the reasoned justification for the policy.

#### RECOMMENDATIONS

28.55 Paragraph 7.12 should be modified in accordance with PIMs 64 and 67.

28.56 Additional sentences in similar terms to the following should be included at the end of paragraph 7.38: **“Health checks will be undertaken in the context of paragraph 35 of SPP 8 in order to measure the strengths and weaknesses of the town centres in West Dunbartonshire, and to ensure their continued vitality and viability. The provisions of any PAN which gives guidance on this matter will be taken into account”**.

28.57 The penultimate paragraph of Policy RET 1 should be modified in similar terms to the following: **“Designs shall integrate a proposed development with its surroundings in terms of scale, materials and appearance, and shall create effective links with the surrounding urban fabric”**.

28.58 The first sentence of the new retail policy introduced through PIM 65 should read: **“New retail, commercial, leisure, cultural and public service developments and any other key town centre uses...”**.

28.59 The word **“need”** should be replaced by the words **“retail assessment”** in the new retail policy in accordance with further PIM 124.

28.60 No modification to the provisions of Policy RET 2 or its reasoned justification should be made with respect to these objections.

28.61 Paragraph 7.42 of the reasoned justification for Policy RET 3 should be modified in accordance with PIM 63.

28.62 The Lomond Galleries, Alexandria, should be included in the schedule under Policy RET 3 in accordance with PIM 66.

28.63 The schedules under Policies RET 3 and GD 2 should be updated to reflect the known position at the time the local plan is adopted.

28.64 The schedule under Policy RET 3 should be renamed **“Schedule RET 3”**.

28.65 The second sentence of Policy RET 5 should be modified in similar terms to the following: **“In the existing ground floor retail units along those core retail frontages identified in maps RET 5A and B, there shall be a presumption against any change of use from Class 1 (as defined by the Use Classes (Scotland) Order 1997) to non-retail use”**.

**29 DUMBARTON TOWN CENTRE**

**Policies RET 1, RET 1A and Opportunities RET 3(1) and GD 2(14); PIMs 62 and 65: Dumbarton Town Centre**

**OBJECTORS AT HEARING**

**For Jermon Ltd per Halliday Fraser Munro:**

**Mr Graeme Kerr, Associate, HFM**

**Ms Patricia News, Surveyor, Jermon Ltd**

**For British Land PLC and Henry Lax Ltd per Turley Associates:**

**Ms Julia Frost, Associate Director, TA**

**Mr David Torrance, Principal, Faber Maunsell**

**Mr Justin Thompson, Director, Macgregor Smith**

**Mr Kenneth Carruthers, Partner, Semple Fraser**

**Mr Andrew Muir**

**WEST DUNBARTONSHIRE COUNCIL**

**For West Dunbartonshire Council:**

**Mr Alan Williamson, Section Head, Forward Planning & Regeneration, WDC**

**Ms Claire Burton, Planning Officer, WDC**

**Mr Keith Bathgate, Development Management Team Leader, WDC**

**BACKGROUND AND DESCRIPTION OF THE TOWN CENTRE**

- 29.1 Policy RET 1 applies to retail and leisure development within identified town centres, and states that they will be improved by directing all significant retail proposals to the designated town centres, as defined on the proposals map. However, this provision has been removed through PIM 62. The policy (as amended) requires any significant retail proposals (defined as over 1,000 sq ms for convenience and 2,000 sq ms for comparison) to be considered against specified criteria. The policy also states that any retail proposal in a commercial centre will be considered against Policy RET 1A.
- 29.2 Policy RET 1A applies to retail and leisure developments within an identified commercial centre, and states that these will be supported where their function complements that of other centres within the network of centres, having particular care not to undermine town centres. Policy RET 3 states that the sites listed in Schedule RET 1 represent the retail development opportunities within the plan area. These opportunity sites will be supported by the council subject to conformity with the provisions of Policy RET 1 and other local plan policies. Schedule RET 1 includes retail opportunity site RET 3(1) which is further referred to in paragraph 29.3 below.
- 29.3 The Dumbarton Town Centre as identified on the proposals map is shown on map 21 below, and includes the Artizan Centre, which is a shopping mall to the north of High Street for which there are proposals for refurbishment, involving 2,563 sq ms of additional floorspace, in a planning application currently before the council, and for which the grant of planning permission is awaiting a Section 75 agreement. The town

centre also includes a redevelopment opportunity site at Castle Street, site GD 2(14) which is identified as being suitable for retail, residential and public service uses. The St James Retail Park lies to the east of the town centre, directly adjoining it, and is identified as a commercial centre under Policy RET 1A. In addition to the retail park, there is a major convenience store to the south of Glasgow Road within the commercial centre. To the east of the St James Retail Park is retail opportunity site RET 3(1), which is seen as an extension to the St James Retail Park and also lies within the designated commercial centre. The commercial centre and the proposed extension to the St James Retail Park are also shown on map 21 below.

- 29.4 There are existing outline planning permissions for both sites GD 2(14) and RET 3(1); the former being a mixed use development and the latter being specifically for 2 non-food retail warehouses. However, both permissions have a significant retail element in the order of 6,500 sq ms, although in the case of the former there is a subsequent planning application before the council for mainly residential use with only 1,200 sq ms retail floorspace. In relation to the latter, a subsequent planning application for the sub division of the units into 7 retail/leisure units has been refused planning permission by the council.
- 29.5 These objections relate to the extent and quality of shopping provision within the Dumbarton Town Centre, and more particularly whether or not areas to the north of Glasgow Road and south of Castle Street (including redevelopment opportunity site GD 2(14)) should be included within the town centre, whether or not the St James Retail Park and major convenience store to the south of the retail park should be within the town centre or be identified as a separate commercial centre, and whether or not retail development opportunity site RET 3(1) should continue to be identified as such in the local plan.

### SUMMARY OF CASE FOR OBJECTORS

- 29.6 For **Jermon Ltd** it is submitted that the land adjacent to the St James Retail Park identified as retail development opportunity site RET 3(1) should be replaced by a redevelopment opportunity within Schedule GD 2, in respect of which uses including retail, commercial, residential and open space would be appropriate. This potential retail opportunity would have a significant adverse impact on the economic vitality and viability of Dumbarton Town Centre and would consequently adversely affect the character and amenity of the surrounding area.
- 29.7 In addition, the area of the Dumbarton Town Centre covered by Policy RET 1 should more closely mirror that identified within the council's emerging Dumbarton Town Centre Master Plan. In particular, land to the south of Castle Street, identified as opportunity site GD 2(14) on the proposals map, should be outwith the defined Dumbarton Town Centre. The designation of this site within the town centre would encourage retail development that is more suited to the town centre. This would have a significant adverse impact on the economic vitality, character and general amenity of the town centre, and would be contrary to both SPP 8 and the GCVSP.
- 29.8 For **British Land PLC and Henry Lax Ltd**, whilst the recognition of the important role of St James Retail Park is supported, it is submitted that its importance to Dumbarton Town Centre should be made more explicit. The whole of St James Retail Park, including

the extension area, should remain within the town centre boundary as detailed in the consultative draft local plan, rather than being identified as a separate commercial centre under Policy RET 1A. It is submitted that a drop to the third tier in the hierarchy of centres (falling behind town centre and edge of centre in any sequential analysis) reflects a misunderstanding of the intention of SPP 8.

- 29.9 **Mr Andrew Muir** submits that sections of chapter 7 of the local plan give the impression that Dumbarton Town Centre has improved but it has deteriorated dramatically. The objector seeks a better retail mix in the town centre and considers that money should be spent on the shops rather than other town centre improvements.

### **COUNCIL RESPONSE**

- 29.10 For **West Dunbartonshire Council** with respect to the objection on behalf of Jermon Ltd it is submitted that the catchment area for the Dumbarton Town Centre currently has a high level of leakage identified in the GCVSP; therefore retail development of the site would essentially retain some of the leaked expenditure within the catchment area. SPP 8 requires authorities to identify suitable and viable sites for retail development and therefore Schedule RET 1 identifies the retail opportunities throughout the plan area. Site RET 3(1) is identified as a retail development opportunity in the local plan as it is deemed to be a suitable and viable site for retail development.
- 29.11 Identifying site GD 2(14) as a town centre mixed use development site will increase activity within the town centre and bring a derelict vacant site in a very prominent location back into use. Development here will contribute greatly to Dumbarton's vitality and viability and the ongoing regeneration of the town centre. The inclusion of the site within the town centre will increase its attractiveness to investors. The designation is in line with SPP 8 where it identifies that town centres should provide a mix of sustainable uses and activities which will contribute to their vitality and viability.
- 29.12 With respect to the objection on behalf of British Land PLC and Henry Lax Ltd the importance of commercial centres and the role they play in relation to the town centre is expressed within the policy context. The identification of commercial centres continues to enable the council to recognise the investment in and sequential status of St James Retail Park. However, it is accepted that the retail park is in an edge of centre location, and that some revision to the text of Policy RET 1A may be appropriate in this context.
- 29.13 The St James Retail Park is considered to meet the definition of a commercial centre set out in SPP 8 where they are distinct from town centres as their range of uses and physical structure makes them different in terms of character and sense of place. Whilst adjacent to Dumbarton Town Centre, it is considered that the links between the two locations are poor in terms of accessibility and inter-visibility. St James Retail Park has been identified as a commercial centre as part of the council's local network of centres in the local plan.
- 29.14 With respect to the objection by Mr Andrew Muir, it is submitted that the local plan promotes the use of town centres for retail development, recognises the importance of strengthening and improving retail provision and in doing so guides all retail and commercial development towards the town centre in the first instance.

## CONCLUSIONS

### **The Dumbarton Town Centre**

- 29.15 I sympathise with the objection by Mr Muir about the need to improve the quality of shopping (including the lack of independent retailers) and reduce the number of vacant shops within the town centre. I find that the way forward is for the local plan to provide a suitable policy framework within which proposals for new retail development can be considered. Within this framework, the town centre master plan can then promote a more detailed strategy for the improvement of the town centre, both encouraging suitable uses (including retail uses) and improving the environment and quality of the urban form.
- 29.16 There is no doubt, in the context of SPP 8, that the Dumbarton Town Centre should be the focus of new investment in retail development within Dumbarton, and the new retail policy refers to a sequential approach which gives appropriate priority to new retail development in the town centre. However, the extent of the town centre requires more detailed consideration in the context of these objections.
- 29.17 The first issue to be addressed is whether or not the town centre boundary should include the area between Glasgow Road and the Dumbarton Central Station, and the area to the south of Castle Street, which are both included within the town centre boundary as shown on the proposals map, but are not included within the town centre master plan boundary (as defined in Appendix 2 of the master plan) which essentially forms the shopping core of the town centre.
- 29.18 The second issue to be addressed is whether or not the town centre boundary should include the St James Retail Park, its proposed extension to the east, and the major convenience store to the south, and accordingly whether or not these areas should be retained as a commercial centre in the local plan as shown on the proposals map.

### Areas to the North of Glasgow Road and South of Castle Street

- 29.19 With respect to the area to the north of Glasgow Road, I accept from my inspection of the Dumbarton Town Centre that this area does not currently include many established retail uses. However, box 1 of SPP 8 defines town centres as providing: “*a diverse and sustainable mix of activities and land uses which create an identity that signals their function and wider role*”. I take this to mean that identifying a town centre involves more than just identifying the shopping core.
- 29.20 The area to the north of Glasgow Road includes major civic uses and borders the main railway station serving the town centre. It is clear to me that such uses are essential to the function and wider role of the town centre in the context of box 1 of SPP 8, and I therefore find that it would not be logical to omit these uses from the town centre. Furthermore, it is reasonable to conclude that this area is likely to have limited potential for new retail floorspace, and its inclusion within the town centre boundary is thus likely to have a neutral effect on the vitality and viability of the town centre in this context.
- 29.21 However, the area to the south of Castle Street is more marginal in terms of the justification for its inclusion within the town centre. It is a major redevelopment site that has already been cleared of buildings apart from a built frontage along the eastern

boundary and part of the northern boundary of the site. It is not clear whether this frontage will remain, although it appears from the Dumbarton Waterfront Design Framework that it may be retained.

- 29.22 Part of the site is identified as redevelopment opportunity site GD 2(14) and part of the site is identified for residential development. However, within the latest planning application for site GD 2(14) there is also a predominance of residential development. Whilst I acknowledge that residential use has a role to play in town centres, and indeed living within town centres is to be encouraged in order to promote diversity, the sort of extensive residential development that may occur to the south of Castle Street would not appear to fit the normal pattern, in which residential use would be ancillary to other uses, such as flats above shopping frontages where appropriate. I note however that there are already substantial residential uses in the town centre on both sides of Glasgow Road.
- 29.23 In any event, outline planning permission for a significant amount of retail floorspace still exists for site GD 2(14). It is therefore possible that a significant amount of retail development could yet take place, and of course this is more likely to occur if the site is retained in the town centre. I am conscious that there are plans to refurbish the Artizan Centre in order to improve the extent and quality of retail floorspace within the town centre, and that restricting the opportunity for retail development on other sites has a role to play in ensuring that such proposals are successful in reducing the amount of vacant properties within the town centre. However, in terms of the second bullet point in paragraph 7 of SPP 8, this has to be seen in the context of securing the overall health of the town centre, not protecting the competitive interests of individual retailers. The existing vacancy rate is high, with some 32% of shops in the town centre being vacant, and some 53% of shops within the Artizan Centre itself being vacant.
- 29.24 On the other hand, there is a significant comparison goods expenditure leakage of some 76% to areas outwith the Dumbarton Town Centre. It is desirable that some of this expenditure is retained within the Dumbarton Town Centre through new retail development proposals. I accept that the refurbishment of the Artizan Centre is a key factor in retaining comparison expenditure, and that if other retail developments within Dumbarton undermined the success of this, then this would be undesirable. However, I am convinced by evidence on behalf of the council that there is sufficient comparison goods expenditure leakage to allow for the refurbishment of the Artizan Centre and other retail developments within and adjoining the Dumbarton Town Centre to take place.
- 29.25 Furthermore, I note the intention to improve the riverside area and its links to the town centre in the town centre master plan, and development to the south of Castle Street would fit well within the overall strategy for this. If a well designed development scheme is achieved, for both the residential site and site GD 2(14), this would also assist in the implementation of the Dumbarton Waterfront Design Framework.
- 29.26 On balance, I find that retaining the area to the south of Castle Street comprising both the housing opportunity site and site GD 2(14) within the town centre is likely to provide more advantages than disadvantages in securing the improvement of the town centre. Such advantages would be threefold in terms of improving the range and quality of shopping (depending on the amount of retail floorspace that is eventually realised), increasing the footfall in the town centre, and improving the built environment within the town centre. The site would otherwise be a relatively isolated pocket of the urban area

outwith the town centre, possibly comprising mainly residential use. It would not fit well into the description of a commercial centre in the context of SPP 8.

### St James Retail Park, Proposed Extension and Convenience Store to the South

- 29.27 The area including all of the above has been designated as a commercial centre in the local plan, although it was included in the consultative draft plan as part of the town centre. This commercial centre is directly adjacent to the eastern boundary of the town centre. Whilst I acknowledge that the designation of this area as a commercial centre has taken into account its physical characteristics, I accept the evidence on behalf of British Land and Henry Lax that this designation appears to primarily be a response to the definition of commercial centres in box 1 of SPP 8. In this context, I appreciate that the approach to this matter may also affect the Clydebank Town Centre, which has commercial centres adjacent to the town centre, and in respect of which there is an objection relating to the southern part of the Clyde Retail Park (section 30 below).
- 29.28 I have carefully examined the national policy context provided by SPP 8, and particularly paragraphs 5 and 6, and I find nothing to suggest that commercial centres are primarily intended to be in out of centre locations. It is clear that they may be in out of centre locations, but I find that there is nothing to prevent the designation of commercial centres adjacent to existing town centres. Box 1 of SPP 8 provides examples of commercial centres, which include retail parks. Of course there is also nothing to prevent retail parks that are adjacent to existing town centres remaining within the designated boundary of the town centre, in which case I find that they would no longer fall to be identified as commercial centres.
- 29.29 I am conscious of the examples provided on behalf of British Land PLC and Henry Lax Ltd where retail parks have been included within town centres. However, I find that the decision as to whether or not the St James Retail Park and its associated areas should be included within the town centre boundary or remain designated as a commercial centre in the local plan depends on both the retail circumstances applying to the Dumbarton Town Centre and the physical characteristics from the shopping core to the retail park.
- 29.30 Although the retail park is adjacent to the town centre, it is separated by a burn and some fairly substantial mature trees along the boundary. The retail park also has a clear physical definition that separates it from the town centre to the west. Being on the retail park, whilst no less important, creates a different sense of place from being in the shopping core of the town centre, or even the periphery of the shopping core.
- 29.31 There is of course connectivity both at the south western and north western corner of the retail park, and this may well be improved through further development of the retail park. It is some 5 to 10 minutes walk from the Dumbarton Central railway station to the centre of the retail park. It is about the same from the Dumbarton East railway station, and from the centre of the retail park to the Artizan Centre within the shopping core. I also accept that there is a relatively good bus service in the area which extends into the retail park.
- 29.32 Some people will no doubt use the railway and bus services to access the retail park, and if they do so they may also access the town centre. However, I find that it is likely that a very high percentage of users of the retail park would use their cars. In any event, I believe that there is likely to be a limited number of trips to both the town centre and the

retail park at the same time. Improving the retail park is therefore likely to have a limited effect on increasing the footfall within the shopping core, but if care is not exercised, may reduce the number of trips made to the shopping core in the town centre. On the other hand, the retail park may be very significant in reducing the number of trips people may make to nearby centres, such as Clydebank.

- 29.33 The relatively high vacancy rate and the very high comparison goods leakage from the Dumbarton Town Centre are therefore major factors to consider. There is the potential for further development within the retail park, both in terms of an extension on site RET 3(1) and a possible future extension to the west of the retail park. Perhaps the key is to try to claw back some of the leakage in comparison expenditure within the retail park, but at the same time ensure that this does not worsen the vacancy rate within the town centre. This means allowing potential further retail development within the retail park, but at the same time controlling it to ensure that it is of a type that is least likely to affect the shopping core in the town centre.
- 29.34 I therefore find that it is appropriate that the retail park should not have the same status as the town centre, and as a result should not be within the town centre boundary. It would not be appropriate, when considering major new retail development in the town centre, to restrict the floorspace (subject of course to satisfying the requirements of the criteria in Policy RET 1) in terms of its size, type of retail use or the size of individual units. It may however be appropriate to do this on the retail park, so that whilst there is an opportunity to claw back retail expenditure leaked elsewhere, at the same time the new retail floorspace does not increase the vacancy rate in the shopping core. Whilst I make absolutely no judgement on the merits of the specific case, the decision by the council to refuse permission for the subdivision of large units to smaller units in the proposed extension to the retail park is an example of the sort of control that may need to be exercised.
- 29.35 I do however sympathise with the arguments put forward on behalf of British Land PLC and Henry Lax Ltd relating to the design principles that should apply to any extension of the retail park. I am conscious of the design strategy and the details of the proposed eastern extension to the retail park. However, I am not convinced by the argument that the client would be less happy to pursue all the improvements proposed if it is considered that the council would be less favourably disposed towards its further development. This is because the council should not be less favourably disposed to the principle of extending the retail park through appropriate retail development, if the area is designated as a commercial centre. Its design links with the town centre and the Dumbarton Waterfront should therefore be able to proceed as intended. Requiring a specific type of retail use or a specific size of individual units should not alter this approach. I see little prospect of there being any justifiable argument to restrict the amount of the overall floorspace significantly.
- 29.36 I have also considered the possibility of simply designating the area as a retail park, with its status being dependent upon its location. I consider matters pertinent to the location of retail development (particularly within retail parks) commencing in paragraph 29.37 below, when considering the terms of Policy RET 1A. However, the introduction of a new designation on the proposals map of “retail park”, and an appropriate policy reference, or reference in the reasoned justification, would only serve to confuse matters.

I find that if the retail park, and associated areas, is not within the town centre then it should be designated as a commercial centre in the context of box 1 of SPP 8.

### **Policy RET 1A**

- 29.37 Some retail proposals will not be suitable for town centres; this particularly applies to large retail units for bulky goods such as DIY, home improvements, and furniture, but it may also apply to other types of retail units that are designed to be more suited to retail parks. These may be more appropriate for edge of centre locations, which are referred to in Policy RET 1, and particularly for designated commercial centres adjacent to town centres, which are included within Policy RET 1A.
- 29.38 Following on from the above, one matter examined in some detail at the hearing is that in terms of the sequential approach in box 3 of SPP 8, other commercial centres designated within the local plan are third tier after edge of centre locations. Whilst I do not take this to imply that commercial centres should necessarily be in out of centre locations, because these are also covered by the fourth tier, I believe that their inclusion on the third tier results from the possibility that they may be beyond edge of centre locations.
- 29.39 St James Retail Park is clearly in an edge of centre location, and Policy RET 1A must recognise this and ensure that any proposed development therein is considered accordingly within the sequential approach. Indeed, the fact that it is a commercial centre in an edge of centre location in my view gives it priority over other edge of centre locations which are not so designated in the local plan. I have also considered the possibility of identifying edge of centre locations on the proposals map, but apart from the commercial centres that are clearly adjacent to a town centre, I do not believe that it is possible to accurately define edge of centre locations on a map. I believe that this depends on the circumstances of the case. Any change to Policy RET 1A would of course equally apply to the commercial centres adjacent to the Clydebank Town Centre.
- 29.40 I therefore find that additional text is required in Policy RET 1A to refer specifically to the commercial centres adjacent to the Clydebank and Dumbarton Town Centres, identifying these as also being edge of centre locations, stating that they will be considered accordingly in the context of the sequential approach. A reference to the criteria in Policy RET 1 would also be desirable. A more detailed explanation for this should be included in the reasoned justification, probably in paragraph 7.39. My recommendations suggest appropriate text. For the sake of consistency, a qualification is also needed in relation to the third bullet point of the proposed new retail policy introduced through PIM 65, relating to commercial centres, that excludes such centres from this third tier if they are also in edge of centre locations.

### **Retail Opportunity Site RET 3(1) – Extension to St James Retail Park**

- 29.41 The objection on behalf of Jermon Ltd seeks the replacement of retail opportunity site RET 3(1) with an opportunity site in Schedule GD 2, referring to commercial, residential and open space use as well as retail. The site is at the eastern edge of the existing retail park, and it adjoins housing development further east. I have considered the evidence submitted to the hearing relating to the access to the site. I am convinced by the evidence on behalf of the council and my own observations that vehicular access to the site from

Park Street would be unsuitable, which means that the only possibility of vehicular access is through the existing retail park.

- 29.42 I therefore consider that major residential use is unlikely to be a serious option. Other forms of commercial development, or possibly leisure development, may be considered appropriate. However, I am conscious that there is an existing outline planning permission for retail development, and this remains valid until November 2009. In the most recent proposal for the development of this site a leisure use was included, but this was clearly ancillary to the main use of the site for retail purposes.
- 29.43 I find that altering the site to a redevelopment opportunity within Schedule GD 2 would be unlikely to make any difference to the eventual development of the site, because retail would still be an acceptable use, and I consider that this is the most likely use of the site, forming an extension to the retail park. Altering the site from exclusively retail use is therefore unlikely to make any difference to the impact on the town centre, which can in any event be controlled by the council under Policy RET 1A. I am aware that substantial consideration has already been given to this extension in design terms. I therefore believe that it is more accurate to retain the site for exclusively retail purposes in the local plan (accepting that there may still be other ancillary uses) and I therefore find that it should be retained as retail opportunity site RET 3(1), under Policy RET 3.

### **Overall Conclusions**

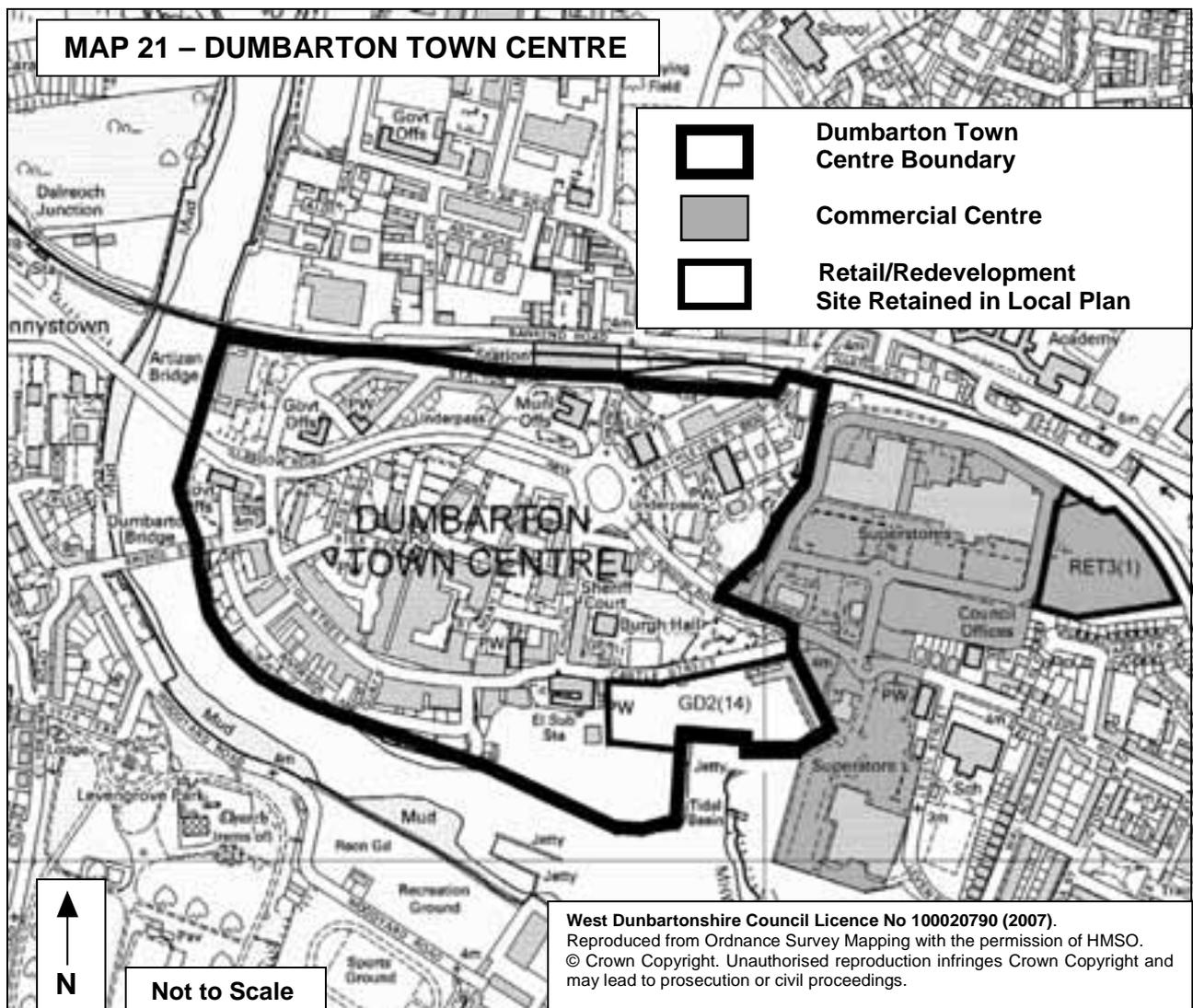
- 29.44 In overall terms, I conclude that the town centre boundary should be retained as it is currently shown on the proposals map, that is including the area to the north of Glasgow Road, the residential opportunity site and redevelopment opportunity GD 2(14) south of Castle Street within its boundary, but excluding the St James Retail Park, the proposed extension to the east and the major convenience store to the south. I conclude that the latter area should be retained as a commercial centre under Policy RET 1A.
- 29.45 I also conclude however that Policy RET 1A should be amended to refer specifically to the commercial centres adjacent to the Clydebanks and Dumbarton Town Centres identifying these as also being edge of centre locations, and stating that they will be considered accordingly in the context of the sequential approach. I further conclude that retail opportunity site RET 3(1) should be retained in Schedule RET 1, and that this site should not instead be designated as a redevelopment opportunity in Schedule GD 2.

### **RECOMMENDATIONS**

- 29.46 The town centre boundary should be retained as shown on the proposals map for Dumbarton.**
- 29.47 The commercial centre designation under Policy RET 1A should be retained as shown on the proposals map for Dumbarton.**
- 29.48 Policy RET 1A should be modified by the addition of a sentence at the end of the first paragraph in similar terms to the following: “Such proposals within the commercial centres adjoining the Clydebanks and Dumbarton Town Centres will also be regarded as being in an edge of centre location in the context of box 3 of SPP 8, and will therefore require to be considered against the criteria listed in**

Policy RET 1”. A qualification should be made to the third bullet point of the proposed new retail policy introduced through PIM 65, relating to commercial centres, in similar terms to: “unless such are also in an edge of centre location”.

- 29.49 Paragraph 7.39 should be modified by an additional sentence before the penultimate sentence of the paragraph (or by including this at the beginning of a new paragraph) in similar terms to the following: “However, the commercial centres adjacent to the Clydebank and Dumbarton Town Centres will be considered to be edge of centre locations within the sequential approach set out in box 3 of SPP 8, and proposals for development therein will therefore be regarded as being within an edge of centre location in terms of this sequential approach, as it would be unreasonable to prefer development proposals on undesignated sites adjacent to the town centre to development proposals within these commercial centres”.
- 29.50 Opportunity RET 3(1) should be retained as a retail development opportunity in Schedule RET 1.



**30 REDEVELOPMENT OPPORTUNITY AT THE CLYDE RETAIL PARK,  
LIVINGSTONE STREET, CLYDEBANK**

**Policies RET 1A, GD 2, H 1 and PIM 61: Redevelopment Opportunity at the Clyde Retail Park, Livingstone Street, Clydebank**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Drivers Jonas**

**BACKGROUND AND SITE DESCRIPTION**

- 30.1 Policy RET 1A applies to retail and leisure developments within an identified commercial centre, and states that these will be supported where their function complements that of other centres within the network of centres, having particular care not to undermine town centres. Policy H 1 of the local plan refers to private housing opportunities, stating that the sites identified in Schedules H 1 and H 2 (for Dumbarton and the Vale of Leven and Clydebank, Milton and Bowling respectively) represent the main opportunities for private sector housing development.
- 30.2 Policy GD 2 encourages redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses including ecological and green space uses, and sites for such opportunities are listed in Schedule GD 2 with the proposed uses for the site. The objection site is included within a commercial centre under Policy RET 1A, and is not included for housing in Schedule H 2 or for redevelopment in Schedule GD 2. The objector seeks the deletion of the site from Policy RET 1A and its inclusion for housing within Schedule H 2. However, subject to the PIM referred to in paragraph 30.5 below, this objection has been conditionally withdrawn.
- 30.3 The site is shown on map 22 below, and constitutes the southern portion of the commercial centre known as the Clyde Retail Park, which is shown on the proposals map to the east of Clydebank Town Centre and between the railway line and the Forth & Clyde Canal. The site lies to the south of Livingstone Street and contains 3 retail warehouses with associated car parking and servicing that are currently in use as such. There are 8 units on the north side, together with a new unit under construction at the park's eastern end. The 3 units on the objection site are separated from main part of the retail park by Livingstone Street, which is a dual carriageway. However, there is little difference in terms of the character and physical condition of the units.

**SUMMARY OF CASE FOR OBJECTOR**

- 30.4 For **Drivers Jonas** it is submitted that the site is no longer suitable for retailing purposes as it is physically separated from the Clydebank Town Centre and the main part of the Clyde Retail Park. The existing retailers could be accommodated elsewhere or within the redevelopment of the site, and redevelopment of the site would be wholly compatible with national, strategic and local planning policy.

## COUNCIL RESPONSE

- 30.5 For **West Dunbartonshire Council** it is submitted that through PIM 61 the land is to be allocated as a redevelopment opportunity site under Policy GD 2 and Schedule GD 2 to include housing, retail and commercial uses. A mixed use development is considered essential for this site to function effectively with its surroundings and to contribute to the vitality and viability of Clydebank.

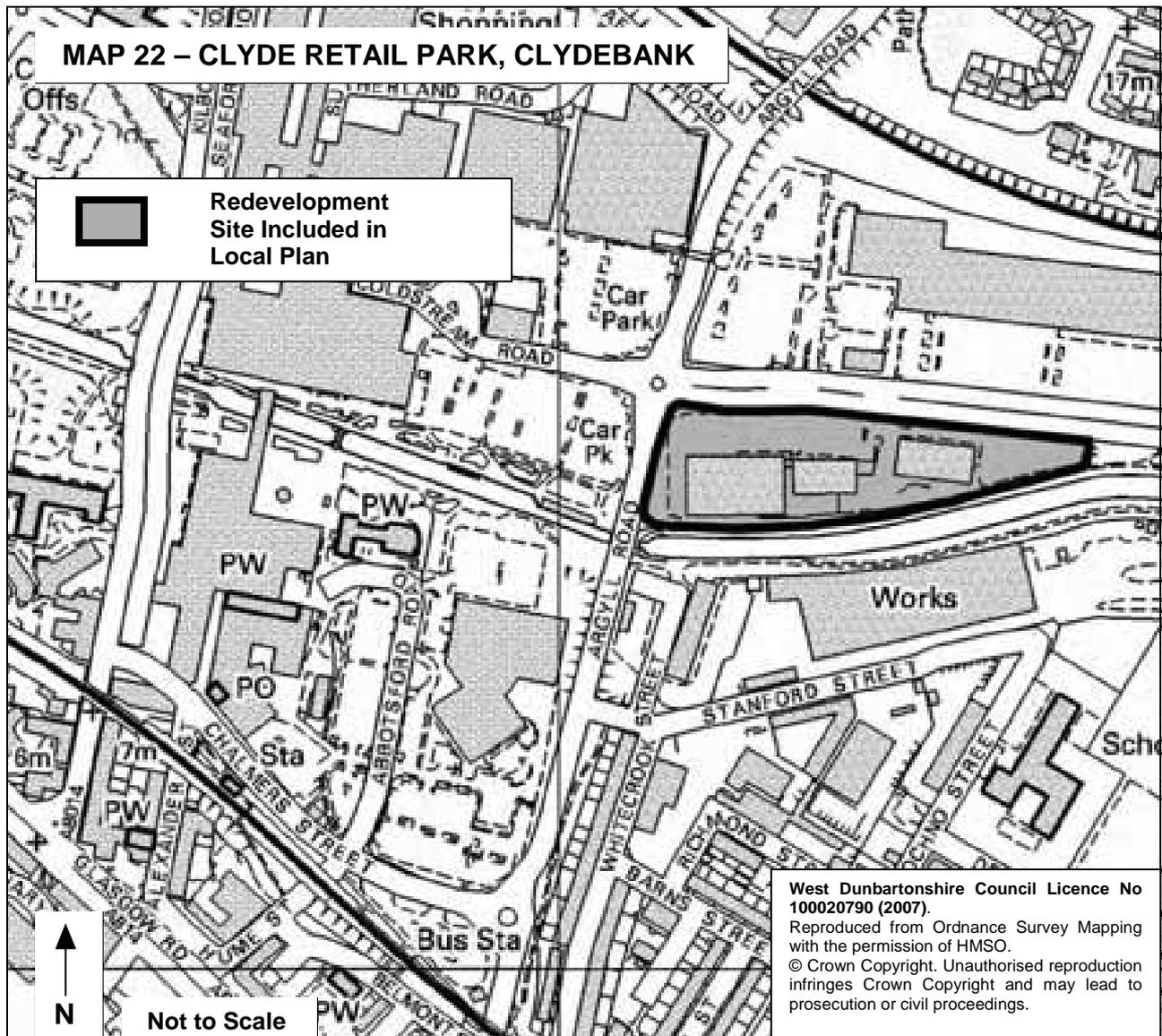
## CONCLUSIONS

- 30.6 At the present time the site is an integral part of the Clyde Retail Park, which in my view is correctly designated as a commercial centre in the local plan. However, I refer to my finding in paragraph 29.40 of section 29 above that additional text is required in Policy RET 1A to refer specifically to the commercial centres adjacent to the Clydebank and Dumbarton Town Centres, identifying these as also being edge of centre locations.
- 30.7 Notwithstanding the terms of the objection, it appears to me that retail use is the most appropriate use for the site, given the sites location directly adjacent to the town centre. In addition, it would not normally be appropriate for a redevelopment opportunity to be identified within Schedule GD 2 for a fully functional retail site; and as far as I can see there is no part of the objection site that does not contain currently operational land in connection with the retail units on the site.
- 30.8 I see no reason why Livingstone Street should act as a barrier to retail development; access is readily available from this street into both parts of the Clyde Retail Park. However, I accept that the units to the south of Livingstone Street may constitute underused land in terms of the requirements of a modern retail park. In addition, the area is in general well served by retail units within the format of a retail park; as well as the Clyde Retail Park there is also the Kilbowie Retail Park to the north of the town centre, although I note that this is identified as housing opportunity site H 2(13).
- 30.9 In any event, I accept that it may be possible for existing units to be relocated elsewhere, or be part of a new mixed use development on the site. I also accept that the character and amenity of the adjoining town centre and the Forth and Clyde Canal area could be enhanced by a new well designed mixed use development, and that new development on the site could thus represent a significant improvement in townscape terms.
- 30.10 If the site is designated as a redevelopment opportunity under Policy GD 2, I consider that any development on the site should probably be retail (or at least commercially) led, and that the site should therefore also remain within a designated commercial centre. Whilst I accept that housing may also feature within the redevelopment of the site, I find that housing development alone would not be appropriate for this location, and therefore that an allocation under Policy H 1 and Schedule H 2 would not be appropriate.
- 30.11 On balance, I conclude that the designation of the site as a redevelopment opportunity in accordance with PIM 61, as well as meeting the terms of the objection, is an appropriate planning response in the context of national, strategic and local plan policies. However, for the avoidance of any doubt, I also conclude that the site should remain designated within a commercial centre under Policy RET 1A.

RECOMMENDATIONS

30.12 The site within the Clyde Retail Park, to the south of Livingstone Street, Clydebank, should be retained as a redevelopment opportunity in Schedule GD 2 for retail, commercial and housing use, in accordance with PIM 61.

30.13 The site should remain designated within a commercial centre under Policy RET 1A.



**31 ENVIRONMENTAL POLICIES IN THE LOCAL PLAN**

**Policies E 3A and E 9; PIMs 76, 77 and 82: Environmental Policies in the Local Plan**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**SNH**

**BACKGROUND**

- 31.1 Policy E 3A refers to local nature conservation sites, and seeks to maintain and enhance the environmental resources of the local plan by the protection of habitats, species and natural features which are vulnerable and/or specifically protected. The council will endeavour to maintain and enhance local natural heritage sites and features, including SINC, wildlife corridors, ancient woodlands and water courses.
- 31.2 Policy E 9 refers to landscape character, and states that developments within the green belt, wider countryside and green corridors through the urban area will have particular regard to the landscape character and distinctiveness of the plan area. Proposals detrimental to the landscape character will not generally be supported. SNH objects to the terms of both policies and seeks appropriate alterations to the text.

**SUMMARY OF CASE FOR OBJECTOR**

- 31.3 For SNH it is submitted that the local plan does not incorporate changes to the number, location and interest of local nature conservation sites. It is considered that the revised site network defined in the final report of the review of local nature conservation sites in West Dunbartonshire should be shown on the proposals map.
- 31.4 In addition, it is submitted that Policy E 3A provides the substantive protection deserved by SINC, whose regional importance makes the “top tier” of local nature conservation sites. As currently worded, the policy could oversee significant devaluation of the area’s natural heritage in the interests of poorly targeted development with little socio-economic value. This objection has however been conditionally withdrawn subject to the PIM proposed by the council referred to in paragraph 31.7 below.
- 31.5 Finally, it is submitted that Policy E 9 should be amended to acknowledge that landscape impacts may continue beyond the boundary of the local plan area. This objection has also been conditionally withdrawn subject to the PIM proposed by the council referred to in paragraph 31.8 below.

**COUNCIL RESPONSE**

- 31.6 For West Dunbartonshire Council it is submitted that the council accepts the objection referred to in paragraph 31.3 above, and that the local plan will be amended in accordance with PIM 76, in consultation with SNH, in order to represent the up to date position with regard to SINC once the review of local nature conservation sites has been completed and prior to the plan’s adoption.

- 31.7 Policy E 3A will be amended in accordance with PIM 77 through the insertion of the following sentence at the beginning of the second paragraph: “*Proposals should not have an adverse effect on the integrity or character of a local nature conservation site*”.
- 31.8 The council further proposes to amend Policy E 9 in accordance with PIM 82 through the addition of “and of adjoining areas” to the end of the first sentence of Policy E 9.

### **CONCLUSIONS**

- 31.9 Whilst the first objection on behalf of SNH has not been conditionally withdrawn on the basis of PIM 76, I conclude that the course of action proposed by the council is entirely reasonable in the circumstances. Section 4(c) of the technical supplement to the local plan lists the sites that currently apply, and there should be no difficulty in amending this list in accordance with the final report of the review of local nature conservation sites.
- 31.10 The remaining 2 objections have been conditionally withdrawn on the basis of PIMs 77 and 82 respectively, and I conclude that these proposed modifications meet the terms of, and constitute a reasonable planning response to, the objections.

### **RECOMMENDATION**

- 31.11 Policy E 3A should be modified in accordance with PIMs 76 and 77, and Policy E 9 should be modified in accordance with PIM 82.**

**32 SALMON AND FRESHWATER FISHERIES ON THE RIVER LEVEN**

**Policies E 1, E 3A and E 3B and PIM 75: Protecting the Salmon and Freshwater Fisheries on the River Leven**

**OBJECTOR AT HEARING**

**Mr James Graham**

**WEST DUNBARTONSHIRE COUNCIL**

**For West Dunbartonshire Council:**

**Mr Alan Williamson, Section Head, Forward Planning & Regeneration, WDC**

**Mr Alistair Gemmell, Planning Officer, WDC**

**WRITTEN SUBMISSIONS**

**Loch Lomond Fisheries Trust**

**BACKGROUND**

- 32.1 Policy E 1 of the local plan states that the council, in exercising its planning function, will further the conservation of biodiversity. Policy E 3A of the local plan refers to local nature conservation sites, and seeks to maintain and enhance the environmental resources of the plan area by the protection of habitats, species and natural features which are vulnerable and/or specifically protected. Policy E 3B then seeks to identify, designate and actively manage as local nature reserves, areas of considerable nature conservation interest. In addition to the above policy framework, the objectors seek inclusion in the local plan of appropriate policies and/or text that specifically refer to the River Leven, the Atlantic Salmon European protected species, and the protection, enhancement and management of the river as a fisheries resource.
- 32.2 PIM 75 introduces a new paragraph to the reasoned justification for Policy E 1, which identifies migratory fish in the Rivers Clyde and Leven as legally protected species, and states that an appropriate wildlife survey will be required where development may impact upon protected species.

**SUMMARY OF CASE FOR OBJECTORS**

- 32.3 **Mr James Graham** has concern about the absence from the local plan of land use planning policies for salmon and freshwater fisheries, especially on the River Leven; specifically a policy covering the legal title and status of the fishings. The council's argument that salmon and freshwater fisheries are not a land use planning issue is incorrect and the council has provided no legal justification in support of its interpretation of the relationship between fisheries and the land use planning system.
- 32.4 For **Loch Lomond Fisheries Trust** it is submitted that the River Leven should be explicitly referred to in relation to biodiversity and Atlantic Salmon in particular. As the twelfth most endangered species in Europe it is incumbent on all member states to protect Atlantic Salmon.

## COUNCIL RESPONSE

32.5 For **West Dunbartonshire Council** it is submitted that the local plan provides a robust framework for the protection of salmon and freshwater fisheries on the River Leven. A strong presumption against development that would have an adverse effect upon all important species and habitats is outlined by the policies of the development plan. Aside from the protection of the fisheries from development upon river systems, it is argued that issues concerning the ownership, management, operation, regulation and improvement of salmon and freshwater fisheries are more suitably addressed through other means, notably the Local Biodiversity Action Plan and River Basin Management Planning. The ownership of the fisheries is not a material planning consideration. The council also refers to PIM 75, the details of which are set out in paragraph 32.2 above

## CONCLUSIONS

- 32.6 In the first instance, I agree with the council that issues concerning the ownership, management, operation, regulation and improvement of salmon and other freshwater fisheries are more suitably addressed through other means. In particular a policy covering the legal title and status of the fisheries would be inappropriate in the local plan. I have considered the policies referred to in the Highland Structure Plan, and I agree with the council that such policies go beyond land use issues and therefore would not be compatible with the overall structure of this local plan.
- 32.7 In addition, the evidence of Mr Graham refers to several surveys, conferences and initiatives, and cases of pollution that have occurred on the River Leven. Much of this evidence is essentially about the implementation rather than the formulation of policies in the local plan, and is therefore of limited relevance to my consideration of these objections in terms of whether or not there should be any alteration to the policies, reasoned justification or other text of the local plan. However, I accept that the nature of the policies within a local plan can affect the way in which the plan is implemented.
- 32.8 Mr Graham clarified at the hearing that his objection is about protecting the fisheries resource, and he considers that this is more about land use than natural heritage. Clearly, however, the objection from the Loch Lomond Fisheries Trust is about the protection of the natural heritage. The fisheries resource in the River Leven appears to concentrate on the Atlantic Salmon, which is a European protected species. Whilst there is no actual fish farming, and the provisions of SPP 22 are not directly relevant, it was confirmed at the hearing that there is management of the fisheries resource through the stocking of fish in the river up to juvenile stage. I therefore find that protecting the fisheries resource in the river is essentially also about also protecting the natural heritage. Policies for such protection would also however constitute land use policies which would be appropriate for inclusion in the local plan.
- 32.9 In relation to Policy E 1, the council already proposes a modification to the reasoned justification which defines in more detail the protection given to both European and other protected species. I find that it would be helpful to specifically include the Atlantic Salmon in the reference to migratory fish in the Rivers Clyde and Leven, since this species appears to be particularly relevant in the circumstances.

- 32.10 In addition to the above, Policy E 3A seeks to maintain and enhance local natural heritage sites, and this includes water courses, lochs, ponds and wetland. The first in this list covers the River Leven. However, the River Leven is a major water course running all the way from Loch Lomond to the River Clyde. As such, it traverses a significant part of the local plan area. Taking into account the evidence before me relating to the Atlantic Salmon, as a European protected species, I find that it would in the circumstances be reasonable to add a policy specifically covering the protection and enhancement of the fisheries resource of the River Leven.
- 32.11 There would be a positive element to this policy, encouraging all interested parties to co-operate in more detailed action plans for the protection and enhancement of the River Leven Corridor, through remedying any existing contaminated or degraded land. I recognise that there are initiatives already in place, but the existence of an appropriate policy in the local plan would provide a framework for these initiatives. There would also be a regulatory element, where development proposals in the River Leven Corridor would have to demonstrate that there would be no significantly adverse impact either in terms of any undue disturbance to protected species or their habitats in the river or its catchment area, or any contamination of the river or its catchment area. This would I believe assist in the prevention of instances of pollution such as those that have occurred in the past.

### **Overall Conclusions**

- 32.12 In overall terms, I conclude that in addition to PIM 75, which should be slightly amended to specifically include the Atlantic Salmon in the reference to migratory fish in the Rivers Clyde and Leven, I also conclude that there should be an additional policy after Policy E 3B seeking to protect and enhance the River Leven fisheries resource through positive action, and requiring development proposals to demonstrate no significant adverse impact. A suggested text for the terms of such a policy is given in my recommendations. An appropriate addition would also be required to the reasoned justification following the E 3 Policies.

### **RECOMMENDATIONS**

- 32.13 **A new paragraph after paragraph 9.7 of the reasoned justification for Policy E 1 should be inserted in accordance with PIM 75, with the last line of the paragraph further modified as follows: “...and migratory fish in the Rivers Clyde and Leven, including the Atlantic Salmon European protected species”.**
- 32.14 **A new Policy E 3C headed “Protection and Enhancement of the Fisheries Resource of the River Leven” should be inserted after Policy E 3B in similar terms to the following:**

**“The council will seek to protect and enhance the River Leven fisheries resource through positive action to remedy any existing contaminated or degraded land within the River Leven Corridor. New development proposals within the corridor, which are likely to significantly affect the river or its catchment area, should demonstrate that there will be no significant adverse impact either in terms of any undue disturbance to protected species or their habitats in the river or its catchment area, or any pollution of the river or its catchment area”.**

**32.15** The last sentence of paragraph 9.12 of the reasoned justification should be deleted and a new paragraph should be inserted after this paragraph with text in similar terms to the following:

**“The importance of wildlife corridors, particularly along water courses, lochs, ponds and wetlands is also recognised. The River Leven SINC is a very important natural heritage resource and wildlife corridor, including the Atlantic Salmon which is a European protected species. The protection and enhancement of the river as a fisheries resource is therefore of significant importance to the biodiversity of the area. The council intends to work with other relevant agencies to seek through positive action to remedy any existing contaminated or degraded land within the River Leven Corridor. New development proposals affecting the corridor require particularly careful consideration to ensure that there is no adverse impact on this fisheries resource, either in terms of any significant disturbance of protected species or their habitats, or any pollution of the river itself or its catchment area”.**

**33 ENVIRONMENTAL IMPROVEMENTS AT THE COCHNO WATERWORKS, CLYDEBANK**

**Policy E 8 and Opportunity E 8(2): Environmental Improvements at the Cochno Waterworks, Clydebank**

**OBJECTOR AT HEARING**

**For Mr Ali Akbar Najafian:  
Mr Omid Najafian  
Mr Ali Akbar Najafian  
Mr Gholan Reza Najafian**

**WEST DUNBARTONSHIRE COUNCIL**

**For West Dunbartonshire Council:  
Mr Alan Williamson, Section Head, Forward Planning & Regeneration, WDC  
Mr Alistair Gemmell, Planning Officer, WDC  
Mr Peter Morris, Planning Officer, WDC**

**BACKGROUND AND SITE DESCRIPTION**

- 33.1 Policy E 8 of the local plan refers to environmental opportunities and encourages the rejuvenation and restoration of the sites identified on the proposals map and listed in Schedule E 8. Opportunity site E 8(2) is at the Cochno Waterworks which is referred to in the reasoned justification as being within the green belt and detached from the urban area, but has a significant built element comprising a disused water treatment building, water tower and filter tanks. It is stated that the conversion of the existing buildings would provide the opportunity for improvements to the amenity of the area.
- 33.2 The objection site is shown on map 23 below. It includes the site of the disused waterworks referred to above, but also includes surrounding land which is generally overgrown and unused, and which appears to be the former curtilage of the waterworks. However, most of the site shows no evidence of former structures, although there is a large disused tank within the south eastern part of the site. There is also evidence of substantial fly tipping within the north western part of the site.
- 33.3 Enclosed within the site, as shown on map 23 below, there is an area of waterworks that is still operational and is expected to continue in use throughout the period of the local plan. In addition there are 3 existing dwellings adjacent to the site which I understand to be originally but no longer used in connection with the waterworks. The objector is seeking an extension to the boundary of environmental improvement opportunity site E 8(2) to include the whole of the objection site, and for the opportunity to be identified as being suitable for low density residential development.

**SUMMARY OF CASE FOR OBJECTOR**

- 33.4 For **Mr Najafian** it is submitted that including the extended waterworks site in the local plan, as an opportunity for low density residential development, would allow the proper and necessary environmental improvements required. In support of the objection,

reference is made to the environmental improvement opportunity sites identified at the Garshake Waterworks and Dalreoch Quarry in Dumbarton.

### **COUNCIL RESPONSE**

- 33.5 For **West Dunbartonshire Council** it is submitted that the site is within the green belt and detached from the urban area. The local plan allows for the conversion of the existing vacant and derelict buildings to residential use, in accordance with green belt policy. In the context of green belt policy and the long term urban growth strategy, any new build development, particularly housing, would be inappropriate at this location. It is unnecessary to extend the opportunity site to include areas where development could not be justified.

### **CONCLUSIONS**

- 33.6 There is a general presumption against isolated and sporadic development in the countryside, and this is set out in paragraph 8.33 of the GCVSP. Although I recognise that this site is fairly close to the urban area of Clydebank, being separated from housing to the south by small fields, it would not be appropriate to extend the urban area to include the site, as development thereon would constitute a ribbon of development extending significantly northwards from the existing built up area.
- 33.7 Notwithstanding the above, the council has recognised that there are sites within the green belt at both the Cochno Waterworks and the former Garshake Waterworks in Dumbarton that are in need of environmental improvement. Whatever development takes place to secure such environmental improvement, both sites would be retained in the green belt, and I agree with the council that this is the correct approach.
- 33.8 There are however some important differences between the 2 sites. In the first place, there is a continuing water treatment works adjacent to the Cochno environmental opportunity site, whereas the Garshake Waterworks has ceased. Secondly, from my examination of the former Garshake works, I am satisfied that the entire area identified by the council for environmental improvement constitutes a brown field site.
- 33.9 Although the area identified by the council at the Cochno Waterworks is also a brown field site, the remainder of the objection site comprises small overgrown fields, upon which, although they appear to have at one time been part of the curtilage of the waterworks, there is generally no evidence of former structures. The exception is the southern field where there is a large storage/treatment tank at its eastern edge. There is also evidence on site that at one time there was access from the continuing waterworks to this structure. The tank is however hidden from view, except when directly adjacent to it, and therefore does not detract the amenity of the area.
- 33.10 There is also a small derelict building adjacent to the site at its eastern edge which detracts from the appearance of the area, but since this building appears to be outwith the objection site, its removal could not be secured through environmental improvements to the eastern part of the objection site. The existence of this building does not therefore provide any justification for the inclusion of this part of the site within the environmental opportunity site.

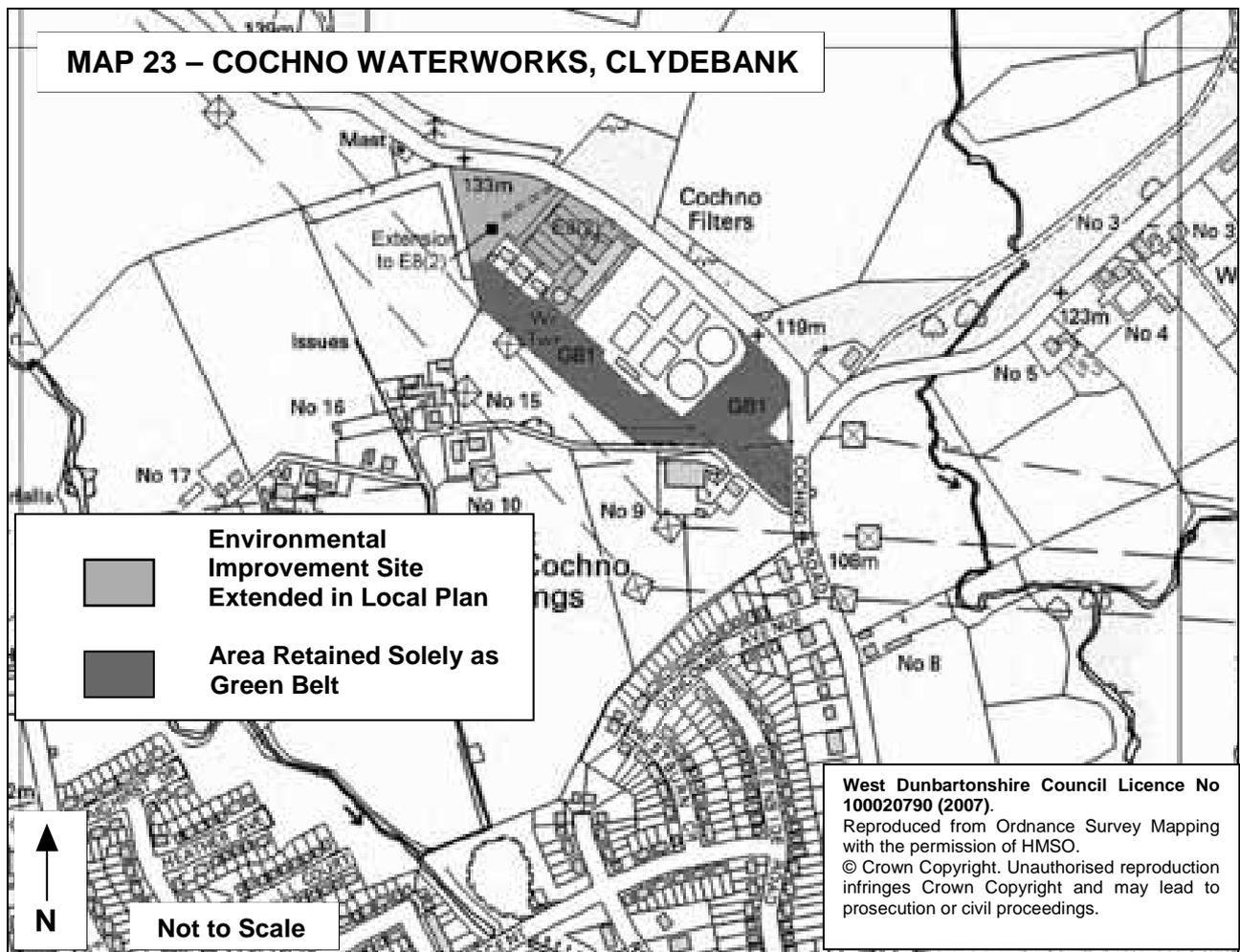
- 33.11 Following on from the above, whereas the whole of the site identified for environmental improvement at the former Garshake Waterworks in Dumbarton has a degraded appearance, the majority of the objection site does not. It is generally seen as an overgrown field which might be typical within an urban fringe area. I agree with the council that there is no obvious need for environmental improvement. The one exception to this is the northern field which has an access into the site from Cochno Road and within which there is evidence of fly tipping. I agree with the objector that this area would benefit from environmental improvement both in terms of visual amenity generally, and in terms of the amenity of the 3 existing dwellings adjacent to this area. I find that there is therefore justification for the inclusion of this small area within the environmental improvement opportunity site.
- 33.12 Evidence was given at the hearing on behalf of the council that identifying the objection site for development would create difficulties at the time of the next green belt review. I have some sympathy with this to the extent that there are fairly small fields between the southern end of the objection site and the existing urban area which may experience pressure for development. However, if the site is extended to only include the small northern field, there should be no difficulties in this respect.
- 33.13 Notwithstanding all of the above, from my inspection of the site, and the buildings thereon, I am not convinced by the evidence on behalf of the council that the existing buildings are suitable for conversion. I recognise that there is evidence that an architect has examined the site and that there may be an opportunity to convert the existing buildings to 15 housing units. However, I have noted that the buildings were designed specifically for use as a waterworks, and it appears to me that the extensive concrete and steel structures inside the buildings might make conversion of the buildings unviable. I therefore believe that the possibility of low density residential development has to be considered, and I find that the text relating to opportunity site E 8(2) in Schedule E 8, and the reasoned justification, should include this possibility.
- 33.14 I have also considered the evidence comparing the objection site to the Dalreoch Quarry in Dumbarton, which was also identified under Policy E 8, but which is now identified as a housing site under Policy H 3 and Schedule H 3 through PIM 84. I note the reference to nature conservation interests on the Dalreoch site, and I also refer to my conclusions on this matter in section 34 below. However, I believe that there is no direct comparison with the objection site because the site of the Dalreoch Quarry lies within the urban area, and it is not an environmental improvement opportunity site within the green belt. There are therefore no issues arising from this that affect my conclusions relating to the site at Cochno Waterworks.

### **Overall Conclusions**

- 33.15 In overall terms, I conclude that environmental improvement opportunity site E 8(2) should be extended to include the small field in the northern part of the site, as shown on map 23 below, but that the remainder of the objection site should not be so included. I also conclude however that the proposed use under opportunity site E 8(2) should allow for the possibility of low density residential development as an alternative to conversion of the existing buildings to residential use. An appropriate adjustment should be made to paragraph 9.24 of the reasoned justification.

**RECOMMENDATIONS**

- 33.16** Environmental opportunity E 8(2), at the Cochno Waterworks, Clydebank should be extended to the north west as shown on map 23 below. The remainder of the objection site should not be included within the environmental improvement opportunity site, and should be retained solely in the green belt under Policy GB 1.
- 33.17** Within Schedule E 8 and under proposed uses, the following text should be included for opportunity E 8(2): “conversion of the buildings to residential use or low density residential development”.
- 33.18** Paragraph 9.24 of the reasoned justification should be modified to state: “conversion of the existing buildings to residential use or low density residential development would provide...”.



**34 ENVIRONMENTAL IMPROVEMENTS AND SOCIAL RENTED HOUSING OPPORTUNITY AT DALREOCH QUARRY, DUMBARTON**

**Policies E 8 and H 3 and Opportunity E 8(5); PIMs 81 and 84: Environmental Improvements and Social Rented Housing Opportunity at Dalreoch Quarry, Dumbarton**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTORS**

**Dunbritton Housing Association  
Turnberry Homes Ltd**

**BACKGROUND AND SITE DESCRIPTION**

- 34.1 Policy E 8 of the local plan refers to environmental opportunities and encourages the rejuvenation and restoration of the sites identified on the proposals map and listed in Schedule E 8. Environmental opportunity site E 8(5) at Dalreoch Quarry is referred to in the reasoned justification as a site that should be removed from the green belt with the A814 forming the new inner green belt boundary. With the exception of the mature woodland in the north of the site, it is described as being in poor condition with the opportunity for environmental improvement consistent with the site's SINC status.
- 34.2 Policy H 3 of the local plan refers to social housing opportunities, and states that the council will encourage developments by registered social landlords by allocating sites for social rented housing. Such sites are identified in Schedules H 3 and H 4 for Dumbarton and the Vale of Leven and Clydebank and the villages respectively. The objectors seek the allocation of the objection site for social housing under Policy H 3 and Schedule H 3. However, both of these objections have been conditionally withdrawn subject to the PIMs referred to in paragraph 34.5 below.
- 34.3 The site is shown on map 24 below, and lies to the west of the A812. It is the area of a disused quarry which retains clear evidence of the infrastructure used in the operation of the quarry. There is however a significant area of scrub woodland on the site, particularly in the northern part of the site. The site is bordered by a school and housing to the west, and the whole of the site, whilst being within the urban area as shown on the proposals map, is a designated SINC under Policy E 3A of the local plan.

**SUMMARY OF CASE FOR OBJECTORS**

- 34.4 For **the objectors** it is submitted that the site would provide 100 new houses, which would increase the stock of new social rented and affordable housing in Dumbarton. It is submitted that there is a need for such housing in Dumbarton, and the designation of this site for social rented housing would accord with the reasoned justification for Policy H 3. It is argued that the site would support the local plan policy of reusing vacant, derelict and underused land, and its development would achieve an element of environmental improvement.

## COUNCIL RESPONSE

- 34.5 For **West Dunbartonshire Council** it has been accepted that this site does not fulfil any green belt function and that the A812 to the east provides a stronger boundary. As a former quarry, the site can be categorised as brown field. It is anticipated that elements of the nature conservation and environmental value will be retained if development is allowed, due to the contours of the site and the rock face. In the light of the above, it has been agreed to identify Dalreoch Quarry as an opportunity for social rented housing with an indicative capacity of 100 units through PIMs 81 and 84.

## CONCLUSIONS

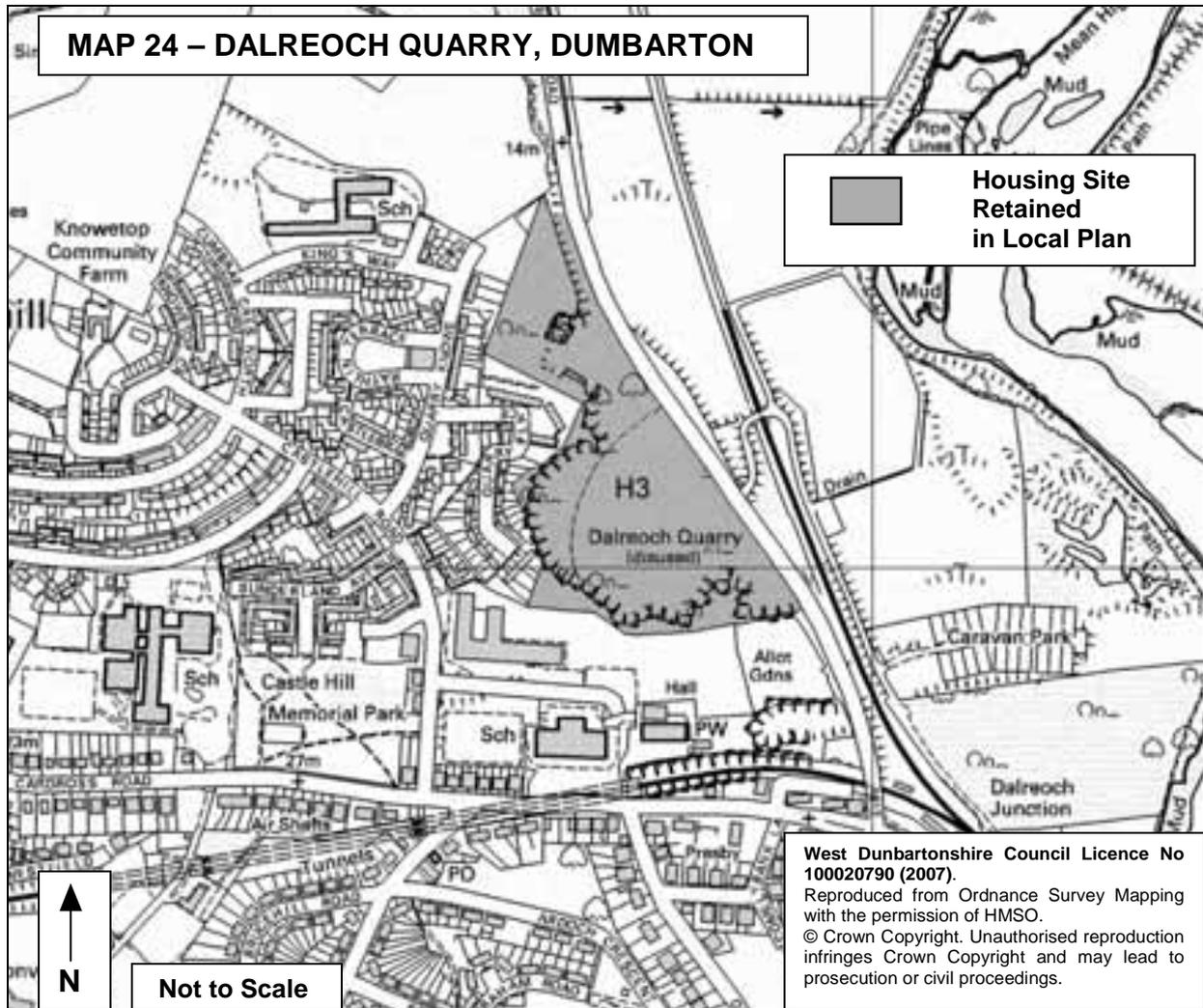
- 34.6 I recognise that this site lies within the urban area as shown on the proposals map, and that this follows the conclusions in the green belt review where the site is not considered to meet green belt objectives, and apart from the northern most part of the site does not contain a use appropriate to the green belt. I generally agree with these conclusions; it is essentially a brown field site that has been allowed to regenerate naturally to some extent, and I find that in overall terms the site is better included within the urban area.
- 34.7 Following on from the above, the site would constitute a logical site for housing development, being contained by the quarry face along the western boundary and the A812 to the east. Development would not have an adverse impact on the setting of the eastern edge of this part of the built up area, subject to a sensitively designed layout and appropriate screen planting. The majority of sites in Schedule H 3 are relatively small, and there is an opportunity here to provide a more comprehensive affordable housing development of benefit to the community.
- 34.8 However, I have some concern relating to the designation of the site as a SINC in the context of Policy E 3A. The northern part of the site in particular appears to provide a substantial natural habitat for wildlife species, and I note that the site is evaluated in the local nature conservation site survey (2008) as having a good suite of habitats for common wildlife, with the overall evaluation of the site being moderate. I am unaware whether or not SNH has been given an opportunity to comment on the proposed allocation of this site for housing development. I am also uncertain as to whether or not the council intends to maintain the SINC designation on any part of the site; it would appear likely that at the very least the SINC would be considerably reduced in size.
- 34.9 On balance, I conclude that the site should be retained for social rented housing in Schedule H 3, but subject to the council being satisfied, in consultation with SNH, that the nature conservation value of the site will not be significantly undermined. The indicative capacity and the area for development should be adjusted if necessary to ensure this is the case before the adoption of the local plan. Any retained area of nature conservation value should continue to be designated as a SINC under Policy E 3A.

## RECOMMENDATIONS

- 34.10 The site at Dalreoch Quarry, Dumbarton, should be retained as a social rented housing opportunity in Schedule H 3, in accordance with PIMs 81 and 84, subject to further consultation with SNH.**

34.11 The indicative capacity of the site and the area for development should be adjusted if necessary to reflect the retention of the site's nature conservation value.

34.12 Any retained area of nature conservation value on the site should continue to be designated as a SINC under Policy E 3A.



**35 POLICIES FOR OPEN SPACE AND RECREATION**

**Policies R 1, R 2, R 3 and R 4; PIMs 92, 94, 95 and 96 and further PIMs 123, 126, 127, 128 and 130: Policies for Open Space and Recreation**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTORS**

**sportscotland  
Environment Trust**

**BACKGROUND**

- 35.1 Policy R 1, as revised by PIM 96, refers to areas of functional and valued open space (this includes both active and passive open space) within the urban area and presumes against development which adversely affects the use, character or amenity of such areas. Developments on existing recreation facilities (except sports pitches) or areas of open space will be considered against specific criteria, relating to the quality and value of the open space, the sufficiency of the same type of provision in the local plan area and whether comparable replacement facilities are proposed. Sports pitches will not be redeveloped unless one of several specific criteria, listed in the policy, applies.
- 35.2 Policy R 2 sets out standards of provision for open space, and states that developers (essentially in relation to new housing development) will be expected to provide open space in accordance with particular targets. A table in the policy indicates the level of provision considered appropriate for different types of open space (for guidance).
- 35.3 Policy R 3 refers to the enhancement of open space and sports facilities, and states that the council will identify opportunities to extend the sports, recreation and open space provision within the urban area, and seek to upgrade recreation facilities as and when resources allow. Policy R 4 refers specifically to the Forth and Clyde Canal, and sets out policies that apply to the canal and adjacent areas. The objectors seek various amendments to these and related policies in the local plan. All of the objections on behalf of both parties have however been conditionally withdrawn subject to the PIMs referred to in paragraphs 35.7 to 35.12 below.

**SUMMARY OF CASE FOR OBJECTORS**

- 35.4 For **sportscotland** it is submitted in the context of Policy R 1 and with specific reference to Schedule GD 2 that no playing fields or sports pitches should be identified as redevelopment opportunities without justification in terms of paragraph 46 of SPP 11. With respect to Policy R 3, it is submitted that there should be reference to the measures being used to ensure that the new or upgraded facilities are required or appropriate.
- 35.5 With respect to Policy R 4 it is submitted that access to the green spaces on the offside of the canal should not be discouraged. Access rights extend to canals and should only be restricted where it is shown that such would have a detrimental impact. In addition, policies concerning renewable energy (DC 6) and minerals (DC 8) should recognise the

importance that development proposals do not adversely impact on sites or areas of recognised importance for sport and recreation activities.

- 35.6 For the **Environment Trust** concern is expressed regarding the definition of children's play areas within Policy R 2 which refers to the need for fencing, and it would be better to include a more detailed definition reflecting a wide range of needs. The third paragraph of Policy R 2 should be within Policy R 3 unless the intention is that developer contributions can be directed to provide or improve sports facilities for community use in schools. Consideration should be given to changing Social Inclusion Partnership areas to the Scottish Index for Multiple Deprivation which has replaced former Social Inclusion Partnership areas, and including a sentence referring to the councils support towards the programme of environmental regeneration set out in the Environmental Action Plans.

### **COUNCIL RESPONSE**

- 35.7 For **West Dunbartonshire Council** it is submitted that Policy GD 2 line 7 will be modified by including after policies "including Policy R 1", as Policy R 1 refers to the requirements of SPP 11 regarding the loss of playing fields.
- 35.8 Paragraph 10.7 will be modified after the first sentence by adding: "*The council has commissioned Sports Pitch and Facilities Strategies and is progressing the commissioning of an Open Space Audit and Strategy. These Strategies will inform future programmes for new/upgraded facilities to satisfy current and future demand*". Policy R 4D will be modified by deleting the second sentence. It is accepted that the original policy would be contrary to the Land Reform (Scotland) Act.
- 35.9 The council also intends to modify the local plan as follows: in Policy DC 6 line 3 after "built heritage" will be added "sport and recreation interests". In Policy DC 8 a bullet point will be added "impact on sport and recreation interests".
- 35.10 Policy R 2 will be modified to read: "*Definition: Children's Equipped Play Area: a fenced area, unless in circumstances where it can be demonstrated fencing is not required and this is agreed by the council, with play equipment for children aged 4-9 years within an amenity open space area; minimum area 400 sq ms*".
- 35.11 It is the intention for developer contributions to be used for green space sports pitches and other uses rather than just children's play spaces and thus could be used to provide school pitches outwith school hours. It is however proposed to delete from Policy R 2: "*The council will endeavour to maximise community use of sports facilities within schools outwith school hours*" and place this in Policy R 3.
- 35.12 Paragraph 10.9 will be amended to refer to the Scottish Index for Multiple Deprivation. Also an additional sentence stating: "*The council will endeavour to support the programme of environmental regeneration set out in the Environmental Action Plans*" will be added to paragraph 10.9. All of the above are proposed through PIMs 92, 94 and 95 and further PIMs 123, 126, 127, 128 and 130.

## CONCLUSIONS

- 35.13 I conclude that all of the above proposed modifications satisfactorily meet the terms of the objections on behalf of both objectors, and in the context of SPP 11 and in order to clarify terminology and the purpose of the policies, they represent an appropriate planning response to the objections.

## RECOMMENDATION

- 35.14 Policies GD 2, R 2, R 3, R 4D, DC 6 and DC 8 and paragraphs 10.7 and 10.9 should be modified in accordance with PIMs 92, 94 and 95 and further PIMs 123, 126, 127, 128 and 130.**

**36 POLICIES FOR WASTE MANAGEMENT AND WATER QUALITY**

**Policies GD 1 and PS 4; PIMs 12, 102 and 115: Waste Management and Water Quality**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**SEPA**

**BACKGROUND**

- 36.1 Policy GD 1 is a general policy in the local plan relating to development control, and states that all development is expected to be of a high quality of design and to respect the character and amenity of the area. The policy lists a number of criteria that require to be met, but it does not include a criterion for waste management or water quality. Policy PS 4 relates to waste management, and states that proposals for new or extended waste management infrastructure and facilities, including landfill sites, will be permitted subject to meeting 4 criteria. SEPA objects to the provisions of the local plan in relation to waste management, and water quality and ecological status; and seeks new policies or the appropriate modification of the policies referred to above in this respect. The objections have however been conditionally withdrawn subject to the PIMs referred to in paragraph 36.5 below.

**SUMMARY OF CASE FOR OBJECTOR**

- 36.2 For **SEPA** it is submitted that the plan's policy framework regarding waste minimisation and recycling is not in accordance with SPP 10 and PAN 63, and the objector seeks a modification to the plan to ensure that there is a clear requirement for the minimisation of waste, and that provision is made for the storage, segregation and collection of recyclable and compostable material.
- 36.3 Whilst it is acknowledged that the plan contains locational guidance for the siting of new or extended waste management facilities within Policy PS 4, the locational guidance is not wholly consistent with SPP 10, which has a model policy on this issue. Bullet point 3 of Policy PS 4 should be based upon this model policy.
- 36.4 With respect to water quality, SEPA seeks the merging of paragraphs 13.10 and 13.11 into a new policy on the protection of the water environment, or an appropriate amendment to Policy GD 1, to state a presumption against development with an adverse impact on the water environment, and provides the possible text for such a policy.

**COUNCIL RESPONSE**

- 36.5 For **West Dunbartonshire Council** it is agreed to address the first issue through PIM 12 by adding a bullet point to Policy GD 1 requiring all new development proposals to minimise waste and provide for its storage and recycling, and refer to site waste management plans. With respect to the second issue, the council intends through PIM 102 to modify bullet point 3 of Policy PS 4 as follows: "*is located within or*

*immediately adjacent to existing waste management facilities, within general industrial areas (Class 5), storage or distribution land (Class 6) or on degraded, contaminated or derelict land consistent with the principles of sustainable waste management". With respect to the final issue, it is proposed to add to Policy GD 1: "Where appropriate, demonstrate that the development will not result in a negative impact on the water environment". It is also proposed to amend the end of paragraph 4.6 for further clarification, also referring to paragraphs 13.10 and 13.11. These changes are proposed through PIM 115.*

### **CONCLUSIONS**

- 36.6 The council has clearly recognised the importance of the issues raised on behalf of SEPA within the PIMs referred to in paragraph 36.5 above. I conclude that these modifications to the local plan are appropriate in the context of the national, regional and local planning policy framework that applies, and in the circumstances sufficiently meet the terms of the objections lodged.

### **RECOMMENDATION**

- 36.7 Policies GD 1 and PS 4, and the appropriate reasoned justification, should be modified in accordance with PIMs 12, 102 and 115.**

**37 TRAFFIC CALMING MEASURES FOR CLARENCE STREET, CLYDEBANK**

**Policy T 3 (Schedule T 3): Traffic Calming Measures for Clarence Street, Clydebank**

**WRITTEN SUBMISSIONS ONLY**

**OBJECTOR**

**Mr & Mrs Philip S Watt**

**BACKGROUND**

- 37.1 Policy T 3 states that the council will, in partnership with other agencies, endeavour to undertake or support the transport schemes listed in Schedule T 3. Schedule T 3 then lists such transport schemes, and included within this are short term projects (1 to 5 years) which include “improved road safety in residential areas”. Clarence Street is a residential street extending from Montrose Street in the south to East Thomson Street in the north, to the east of and parallel to the A8014 Kilbowie Road. The objector seeks the specific inclusion within Schedule T 3 of a scheme for traffic calming measures for Clarence Street, after the project “improved road safety in residential areas” referred to above.

**SUMMARY OF CASE FOR OBJECTOR**

- 37.2 **Mr & Mrs Philip S Watt** submit that Clarence Street lacks any measure to reduce or remove heavy flows of traffic and to curtail its speed, but is a residential street that is the main route of choice, after Kilbowie Road, to access Clydebank Town Centre. It is a “rat-run” and traffic noise, fumes, and vehicle speed have reached intolerable levels. A traffic scheme should be identified for immediate implementation to reduce the number of vehicles and reduce speed to 20 mph maximum. Closure of Clarence Street at Montrose Street to all but emergency vehicles would be the most effective measure; alternatively traffic management would have a significant effect.

**COUNCIL RESPONSE**

- 37.3 For **West Dunbartonshire Council** it is submitted that the recently approved LTS does not include any proposal to close or traffic calm Clarence Street and it would be inappropriate to modify the local plan in contradiction of this. SPP 17 does not require local plans to consider detailed traffic matters which are not in the LTS. Clarence Street is considered an all-purpose road of generally 9.3m width which complements the A8014 Kilbowie Road. The transportation section of the council supports the view that it would not be appropriate to include proposals for Clarence Street in the local plan.

**CONCLUSIONS**

- 37.4 In the context of paragraph 33 of SPP 17, I agree with the council that it is essentially the land use implications of matters within the LTS that require to be considered in the local plan. I therefore also agree that it would be inappropriate to include any transport project, whether short, medium or long term, within Schedule T 3 that is not part of the LTS. I

accept that there is no issue identified or action to be taken with regard to Clarence Street in the LTS, and that therefore it would be inappropriate to include such in the local plan.

- 37.5 Notwithstanding the above, I am conscious in any event of the evidence on behalf of the council that the current roads guidelines include a 5.5m guideline for residential roads, whereas Clarence Street is 9.3m in width. Clarence Street is therefore considered to be an all-purpose road providing an essential link between the housing to the north and the centre of Clydebank. It would therefore be inappropriate to close the road at its junction with Montrose Street, or to provide traffic calming measures such as sleeping policemen.
- 37.6 Furthermore, even if there had been a case for traffic calming measures to be implemented, I doubt that it would be appropriate to include the scheme for a specific street in addition to the general project to provide “improved road safety in residential areas”. I believe that such would set a precedent for traffic calming measures on other residential streets, that this would be beyond the remit of the local plan, and would include a level of detail that is inappropriate for a local plan.
- 37.7 Following on from the above I conclude that it would be inappropriate to include a specific scheme within Schedule T 3 for traffic calming measures for Clarence Street, Clydebank.

### **RECOMMENDATION**

- 37.8 No modification to Schedule T 3 of the local plan should be made with respect to this objection.**

## APPENDIX 1

### LIST OF PERSONS APPEARING AT THE INQUIRY

Names	Section
<b>For West Dunbartonshire Council:</b>	
Mr Alasdair Gregor, Planning Services Manager	5
Mr Alan Williamson, Section Head, Forward Planning & Regeneration	9,10,15,21,29,32,33
Mr Peter Morris, Planning Officer	15,21,33
Ms Moira Clark, Planning Officer	5,9,10,15,21
Mr Alistair Gemmell, Planning Officer	5,9,10,32,33
Ms Claire Burton, Planning Officer	29
Mr Keith Bathgate, Development Management Team Leader	29
<b>For Marshall Ltd per Drivers Jonas:</b>	
Mr Alistair Hilton, Senior Planner, Drivers Jonas	9
Mr Steven Cameron, Associate, Drivers Jonas	9
Mr Andy Richardson, Director, Marshall Ltd	9
Mr Pierre De Fence, Director, Knowes Housing Association	9
<b>For Jermon Ltd per Halliday Fraser Munro:</b>	
Mr Graeme Kerr, Associate, HFM	29
Ms Patricia News, Surveyor, Jermon Ltd	29
<b>For British Land PLC and Henry Lax Ltd per Turley Associates:</b>	
Ms Julia Frost, Associate Director, TA	29
Mr David Torrance, Principal, Faber Maunsell	29
Mr Justin Thompson, Director, Macgregor Smith	29
Mr Kenneth Carruthers, Partner, Semple Fraser	29
<b>For Parkhall, North Kilbowie and Central Community Council:</b>	
Mr Gilbert Howatson (also appearing on his own behalf)	5
Mr James Paisley (also appearing on his own behalf)	5
<b>For Clydebank Local History Society:</b>	
Mr Sam Gibson (also appearing on his own behalf)	5
<b>For Bowling &amp; Milton Community Council:</b>	
Mr Jim Thomson, Planning Convenor	15
Mr Francis McNeil, Chairperson	15
<b>For Mr A L Taghi:</b>	
Mr Peter W Fenton, Planning and Design Services	21
Mr A L Taghi	21
<b>For Mr Ali Akbar Najafian:</b>	
Mr Omid Najafian	33
Mr Ali Akbar Najafian	33
Mr Gholan Reza Najafian	33
<b>Appearing on their own behalf:</b>	
Mr Ross McLaughlin	10
Mr Stuart Divers	5
Mr Des McNulty MSP	5
Mr James Graham	32
Mr Andrew Muir	29

**APPENDIX 2  
LIST OF DOCUMENTS**

**WEST DUNBARTONSHIRE COUNCIL – CORE DOCUMENTS**

<b>Ref Number</b>	<b>Title</b>	<b>Source</b>	<b>Date</b>
CWDC 001	West Dunbartonshire Local Plan Finalised Draft	West Dunbartonshire Council	August 2007
CWDC 002	Glasgow and the Clyde Valley Joint Structure Plan 2006 Written Statement	Glasgow and the Clyde Valley Structure Plan Joint Committee	29 April 2008
CWDC 003	West Dunbartonshire Local Plan Environmental Report	West Dunbartonshire Council	May 2008
CWDC 004	Scottish Planning Policy SPP 3 - Planning for Homes (Revised 2008)	Scottish Government	July 2008
CWDC 005	Scottish Planning Policy SPP 3 - Planning for Housing	Scottish Executive Development Department	February 2003
CWDC 006	National Planning Policy Guideline NPPG 14 - Natural Heritage	Scottish Executive Development Department	January 1999
CWDC 007	National Planning Policy Guideline NPPG 18 - Planning for the Historic Environment	Scottish Executive Development Department	April 1999
CWDC 008	Scottish Planning Policy SPP 7 - Planning and Flooding	Scottish Executive Development Department	February 2004
CWDC 009	Scottish Planning Policy SPP 2 - Economic Development	Scottish Executive Development Department	November 2002
CWDC 010	Scottish Planning Policy SPP 11 - Open Space and Physical Activity	Scottish Government	November 2007
CWDC 011	Scottish Planning Policy SPP 17 - Planning for Transport	Scottish Executive Development Department	August 2005
CWDC 012	Review of Business Property Market Activity	CoStar Group for Scottish Enterprise Dunbartonshire	March 2008
CWDC 013	Statement on Industrial Land Supply 2008	West Dunbartonshire Council	September 2008
CWDC 014	West Dunbartonshire Local Plan Finalised Draft - Proposed Pre-Inquiry Modifications	West Dunbartonshire Council	May 2008
CWDC 015	Report into Unresolved Objections to the Clydebank Local Plan 2001	Scottish Executive Inquiry Reporters Unit	March 2004
CWDC 016	Scottish Planning Policy SPP 21 - Green Belts	Scottish Executive Development Department	April 2006
CWDC 017	West Dunbartonshire Local Plan Landscape Assessment of Green Belt (Green Belt Review)	Ironside Farrar	March 2007
CWDC 018	Dumbarton District, District Wide Local Plan	West Dunbartonshire Council	March 1999
CWDC 019	West Dunbartonshire Local Plan Consultative Draft	West Dunbartonshire Council	December 2005
CWDC 020	Housing Land Supply (2007 Audit)	West Dunbartonshire Council	September 2007
CWDC 021	Housing Land Supply Position Statement	West Dunbartonshire Council	September 2008
CWDC 022	Greater Glasgow North & West Sub Housing Market Area (extract from West Dunbartonshire Council)	West Dunbartonshire Council	September 2007
CWDC 023	Greater Glasgow North & West Sub Housing Market Area (extract form Glasgow City Council)	Glasgow City Council	Autumn 2007

<b>Ref Number</b>	<b>Title</b>	<b>Source</b>	<b>Date</b>
CWDC 024	Greater Glasgow North & West Sub Housing Market Area (extract from East Dunbartonshire)	East Dunbartonshire Council	Autumn 2007
CWDC 025	GCV Joint Committee Meeting Paper - Structure Plan Monitoring- update of housing supply to 2013	Glasgow and the Clyde Valley Joint Committee	December 2007
CWDC 026	Draft GCV Structure Plan Monitoring - update of housing supply to 2014	Glasgow and the Clyde Valley Core Team	September 2008
CWDC 027	Alexandria Town Centre Masterplan	Gillespies	October 2008
CWDC 028	Dumbarton Town Centre Masterplan	Broadway Malyan	May 2008
CWDC 029	Scottish Planning Policy SPP 8 - Town Centres and Retailing	Scottish Executive Development Department	August 2006
CWDC 030	Clydebank Local Plan	West Dunbartonshire Council	September 2004
CWDC 031	A Review of Local Nature Conservation Sites in West Dunbartonshire (Draft)	Central Environmental Surveys	September 2008
CWDC 032	Dumbarton and the Vale of Leven 2007 audit extract	West Dunbartonshire Council	September 2007
CWDC 033	Letter from Transport Scotland dated 26th August 2008	Transport Scotland	August 2008
CWDC 034	Map of Crosslet House Estate	West Dunbartonshire Council	September 2008
CWDC 035	Scottish Planning Policy 1 - The Planning System	Scottish Executive Development Department	November 2002
CWDC 036	Scottish Planning Policy 20 - Role of Architecture and Design Scotland	Scottish Executive Development Department	February 2005
CWDC 037+A	West Dunbartonshire Local Plan Finalised Draft - Further Proposed Pre-Inquiry Modifications (and Addendum)	West Dunbartonshire Council	Oct/Nov 2008
CWDC 038	Planning Advice Note PAN 56 Planning and Noise	Scottish Office Development Department	April 1999
CWDC 039	National Planning Policy Guidance NPPG 5 Archaeology and Planning	Scottish Office Environment Department	January 1994
CWDC 040	Planning Advice Note PAN 43 Golf Courses and Associated Development	Scottish Office Environment Department	April 1994
CWDC 041	Landscape Assessment of Green Belt - Consultants (Project) Brief	West Dunbartonshire Council	September 2006
CWDC 042	Memo from Ronald M Dinnie, Head of Land and Environment, HEED Dept.: Objections relating to Clydebank	West Dunbartonshire Council	2 September 2008
CWDC 043	Memo from Ronald M Dinnie: Roads Services Response to Objections in Dumbarton & Vale of Leven	West Dunbartonshire Council	2 October 2008
CWDC 044	Letter and Statement from Historic Scotland dated 6 <sup>th</sup> October 2008	Historic Scotland	October 2008
CWDC 045	Extract - West Dunbartonshire Council Local Transport Strategy 2007-2010; pp 79-93	West Dunbartonshire Council	December 2007
CWDC 046	Note of Pre-Inquiry Meeting, held 26 August 2008	Mr Lance Guilford, Reporter Directorate for Planning & Environmental Appeals	28 August 2008
CWDC 047	Glasgow and the Clyde Valley Joint Structure Plan: Collaborating for Success 2000	Glasgow and the Clyde Valley Structure Plan Joint Committee	January 2003

## WEST DUNBARTONSHIRE COUNCIL – OTHER DOCUMENTS

Ref Number	Title	Source	Date
WDC 001	Planning Application DC06-284, Erection of special needs day care centre (outline), by 'Davie Cooper Centre': decision notice and location plan	West Dunbartonshire Council	September 2007
WDC 002	Ordnance Survey Historical Mapping showing Cochno Road site: 1857-1963	West Dunbartonshire Council	July 2008
WDC 003	Photographic images of Cochno Road site	West Dunbartonshire Council	July 2008
WDC 004	Letter from SEPA to WDC, Local Plan Public Inquiry – Request for SEPA's comments on a third party objection to the West Dunbartonshire Local Plan regarding flood risk and a corner site at Cochno Rd...	SEPA	5th September 2008
WDC 005	Glasgow and Clyde Valley Green Network Planning Guidance Part 1 (Discussion Draft)	Glasgow and Clyde Valley Green Network Partnership/Land Use Consultants	September 2008
WDC 006	Extract of SEPA Indicative River & Coastal Flood Map (Scotland): Sandpoint Marina	SEPA	2007/8
WDC 007	Extracts from Re-discovering Dumbarton Town Centre Action Plan	EDAW	January 2001
WDC 008	Dumbarton Waterfront Design Framework	West Dunbartonshire Council/Town Centres Initiative Partnership	March 2005
WDC 009	Extract of Flood Mapping from Investigation into Flooding in Dumbarton and Surrounding Area	Babties	November 2002
WDC 010	Extract from SLIMS West Dunbartonshire 2007 Labour Market Statement Series: The Structure of the West Dunbartonshire Economy	SLIMS	May 2007
WDC 011	Extract from Our West Dunbartonshire - Community Plan 2007-2017; pp 20-21	West Dunbartonshire Community Planning Partnership	2007
WDC 012	Extract of SEPA Indicative River & Coastal Flood Map (Scotland): Bowling Basin	SEPA	2007/8
WDC 013	Ordnance Survey Historical Raster Mapping 1913 -1939 Map: Bowling Basin	Ordnance Survey	1913-39
WDC 014	Extract - Decision Letter from Scottish Office Inquiry Reporters Ref: P/PPA/160/8	Scottish Office Inquiry Reporters	6 May 1997
WDC 015	Extract - A Catalyst for Change - Regional Transport Strategy for the West of Scotland 2008-21; p 5	Strathclyde Partnership for Transport	April 2008
WDC 016	Extract - Planning Advice Note 75 Planning for Transport; pp 2-3	Scottish Executive Development Department	August 2005
WDC 017	Extract of SEPA Indicative River & Coastal Flood Map (Scotland): Castlegreen Street, Dumbarton	SEPA	2007/8
WDC 018	HSE Consultation Zone, Transco, Dumbarton Holder Station and PADHI+ Inquiry Summary	Health & Safety Executive (HSE)	2006
WDC 019	Location Plan for Site at Castlegreen Street, Dumbarton	A L Taghi	October 2006
WDC 020	Extract of SEPA Indicative River & Coastal Flood Map (Scotland): Rothesay Dock, Clydebank	SEPA	2007/8
WDC 021	Extract - Glasgow Airport Masterplan: Noise Contour Maps	BAA Glasgow	October 2006

<b>Ref Number</b>	<b>Title</b>	<b>Source</b>	<b>Date</b>
WDC 022	Extract - Rothesay Dock Assessment of Aircraft Noise	Enviro Centre for Clydeport plc	May 2008
WDC 023	Memo from Karen O'Dell Environmental Health Officer: Application DC08/064 Proposed Development, Rothesay Dock	West Dunbartonshire Council	22 May 2008
WDC 024	Extract - Glasgow Herald 9th February 2008: 'Clyde facilities keep Peel in calm waters'	The Glasgow Herald	9 February 2008
WDC 025	Extract - Planning Application Ref DC 08/064/OUT: Rothesay Dock, Clydebank - Location Plan	G D Lodge architects for Clydeport	7 June 2008
WDC 026	HSE - Land use planning advice around large-scale petroleum storage sites	Health & Safety Executive (HSE)	July 2008
WDC 027	Recent Planning Consents at Dumbuck Warehouse Complex, Glasgow Road, Dumbarton	West Dunbartonshire Council	August 2008
WDC 028	Glasgow and Clyde Valley Joint Structure Plan 2000 4th Alteration 2008 Consultative Draft	Glasgow and the Clyde Valley Structure Plan Joint Committee	November 2008
WDC 029	Planning Circular 5/2007: Notification of Planning Applications	Scottish Executive Development Department	May 2007
WDC 030	Planning Circular 7/2007: Consultation on and Notification of Planning Applications for Outdoor Sports Facilities and Open Space	Scottish Government	November 2007
WDC 031	Planning Advice Note (PAN) 65: Planning and Open Space	Scottish Government	May 2008
WDC 032	Photographic images of Carleith site	West Dunbartonshire Council	July 2008
WDC 033	Draft Core Paths Plan	West Dunbartonshire Council	June 2008
WDC 034	Supplementary Statement on Landscape Review of Green Belt - Sites 15-16	Ironside Farrar	October 2008
WDC 035	Supplementary Statement on Landscape Review of Green Belt - Sites 22-28 (Dalmuir Wedge)	Ironside Farrar	October 2008
WDC 036	Scottish Planning Policy 8 - Town Centres: Consultation Draft	Scottish Executive Development Department	August 2005
WDC 037	Supporting Statement to Policy RET 1A - St James Retail Park as a Commercial Centre	Halliday Fraser Munro on behalf of Jermon Ltd	October 2008
WDC 038	Supporting Statement to Schedule RET1 - Extension Site to St James Retail Park	Turley Associates on behalf of British Land & Henry Lax	October 2008
WDC 039	Report to the Housing, Environment & Economic Development Committee on Ownership, Moorings and Development Issues concerning the River Leven	Executive Director of Corporate Services, West Dunbartonshire Council	8 October 2008
WDC 040	Bowling Basin – Location Plan	Morrison Homes Ltd	13 November 1998
WDC 041	Listed Buildings and Scheduled Monuments at GD2(10)	West Dunbartonshire Council	November 2008
WDC 042	Withdrawn		
WDC 043	HSE - online planning consent form relating to Castlegreen Street objection site	Health & Safety Executive (HSE)	2008

## OBJECTORS DOCUMENTS

Ref Number	Title	Source	Date	Submitted on behalf of
M1	Photographs DJ1-DJ6	Drivers Jonas	October 2008	Marshall Ltd.
M2	Full Site Plan (SK) 05 01 Dallman	Fouin & Bell Architects	26 May 2008	Marshall Ltd.
M3	West Dunbartonshire Local Transport Strategy	WDC	December 2007	Marshall Ltd.
J1	Artizan Centre Refurbishment Planning Application	HLM Architects	27 March 2007	Jermon Ltd
J2	Court of Session Judgment	C of S Decisions	16 October 2008	Jermon Ltd
J3	Previous Objections	Halliday Fraser Munro	October 2008	Jermon Ltd
BH1	Document in Support of Land to the East of St. James Retail Park's Allocation as a Retail Development Opportunity	Turley Associates	16 October 2008	British Land / Henry Lax
BH2	Design Strategy	Macgregor Smith	16 October 2008	British Land / Henry Lax
BH3	Details of Proposed Eastern Extension to St. James Retail Park	Macgregor Smith	October 2008	British Land / Henry Lax
BH4	Signage Application Design Statement - Approved	Macgregor Smith	May 2007	British Land / Henry Lax
BH5	Reserved Matters Design Statement	Macgregor Smith		British Land / Henry Lax
BH6	JJB Sports (Leisure and Retail) Design Statement	Macgregor Smith		British Land / Henry Lax
RM1	Firm Foundations: The Future of Housing in Scotland, A Discussion Documents	The Scottish Government	October 2007	Ross McLaughlin
RM2	Firm Foundations: The Future of Housing in Scotland, An Analysis of Responses	The Scottish Government	2008	Ross McLaughlin
P1	Survey of Auchentoshan Site, Clydebank	Scottish Wildlife Trust	1995 to 1997	Parkhall, North Kilbowie & Central CC
P2	Report to Scottish Ministers on the Proposed Development at Auchentoshan Estate (Case Reference: NA/WDC/002)	Mrs Jill Moody Scottish Government Reporter	23 January 2008	Parkhall, North Kilbowie & Central CC
BM1	Objection lodged by Scottish Wildlife Trust	Scottish Wildlife Trust	29 May 1996	Bowling and Milton CC
BM2	Extracts from SNH response to WDLP finalised draft	Scottish Natural Heritage	6 December 2007	Bowling and Milton CC
BM3	Planning Application – covering letter from Percy Johnson Marshall and Partners	Percy Johnson Marshall and Partners	16 October 1995	Bowling and Milton CC
BM4	Extract from Inquiry Reporters Unit (Ref P/PPA/160/39)	Mrs Jill Moody Scottish Government Reporter	1 June 2000	Bowling and Milton CC
BM5	Extract from Planning Application Report (Ref WP98/292)	WDC	15 July 1999	Bowling and Milton CC
BM6	Extract from Report by Planning Services Manager (SSSI/RAMSAR designations)	WDC	8 December 1999	Bowling and Milton CC
BM7	Extract from Proposed Modifications to WDLP – SE objection re former Esso site at Bowling	WDC		Bowling and Milton CC
BM8	Extract from WDC Community Plan, Page 22	WDC		Bowling and Milton CC
BM9	Locally Preferred Ideas for the Future of Bowling	Scottish Participatory Initiatives	June 1997	Bowling and Milton CC

<b>Ref Number</b>	<b>Title</b>	<b>Source</b>	<b>Date</b>	<b>Submitted on behalf of</b>
T1	Floor plan/list of tenants of the Dumbarton Business Centre 50 Castlegreen St	Art Company & Son Ltd.		A L Taghi
T2	HSE document Hazardous Installations	HSE		A L Taghi
AM1	Letter from WDC to Andrew Muir	WDC	21 November 2006	Andrew Muir
AM2	Letter from WDC to Andrew Muir	WDC	4 April 2008	Andrew Muir
JG1	Extract of Policies – Highland Structure Plan	Highland Council		James Graham
JG2	Letter from SE to James Graham	Scottish Executive	9 May 2006	James Graham
JG3	Letter from WDC to James Graham	WDC	12 January 2007	James Graham
JG4	Letter from WDC to SEPA	WDC	28 August 2000	James Graham
JG5	Report to Planning and Economic Development Committee	WDC	19 August 1999	James Graham
JG6	Hampden Conference- Attendance List	James Graham	28 November 2007	James Graham
JG7	Letter from LLTNP to James Graham	LLTNP	20 January 2005	James Graham
JG8	Memo with Photographs from SEPA to James Graham – Bonhill Bridge	SEPA	23 August 2007	James Graham
JG9	Report to PF – Bonhill Bridge	SEPA	June 2006	James Graham
CP1	Letter of objection	McInally Associates	16 November 2007	Clydeport PLC
CP2	Letter from WDC to McInally Associates to WDC	WDC	12 February 2008	Clydeport PLC
CP3	Proposed Layout	GD Lodge Architects	7 June 2007	Clydeport PLC
CP4	Planning Policy Assessment	McInally Associates	December 2007	Clydeport PLC
CP5	Assessment of Aircraft Noise	Enviro Centre	12 May 2008	Clydeport PLC
CP6	Phase 1 Risk Assessment	Enviro Centre	May 2008	Clydeport PLC
CP7	Transportation Assessment	Dougal Baillie Ass	April 2008	Clydeport PLC
CP8	HSE Consultation Zones	McInally Associates		Clydeport PLC
CP9	Letter from McInally Associates to HSE	McInally Associates	15 August 2008	Clydeport PLC
CP10	Letter from HSE to McInally Associates	HSE	18 August 2008	Clydeport PLC
CP11	Constraints Map	McInally Associates		Clydeport PLC
CP12	Clydebank Re-Built Queens Quay Layout	McInally Associates	30 September 2008	Clydeport PLC
CP13	Rothsay Dock Context Plan	GD Lodge Architects	8 October 2008	Clydeport PLC
BBP1	Illustrative Layout	Beebe Planning	September 2008	Sandpoint Marina
BBP2	Objection to Finalised Draft Plan	Beebe Planning		Sandpoint Marina
BBP3	Response to Objection	WDC	18 March 2008	Sandpoint Marina
BBP4	Site Plan	Beebe Planning	September 2008	Sandpoint Marina
BBP5	Summary Note from Flooding Report	Babtie		Sandpoint Marina
BBP6	Photographs of Site and Surrounding Area			Sandpoint Marina
BBP7	Extract form Finalised Local Plan Policy GD2	WDC		Sandpoint Marina
KP1	Indicative Master Plan for Site at Bonhill	Keppie Planning	17 October 2008	Barratt West Scotland

<b>Ref Number</b>	<b>Title</b>	<b>Source</b>	<b>Date</b>	<b>Submitted on behalf of</b>
ME1	Site Layout Plan for Housing Development at Castlegreen Street	Montagu Evans	29 September 2008	National Grid Property Holdings
GW1	The Davie Cooper Centre Title Plan	J S Steedman CBE	April 2005	Great Western Investments Ltd
GW2	Neighbour Notification Certificate for Golf Centre	Ashtour Ltd	7 February 2000	Great Western Investments Ltd
GW3	Plan showing Site of Golf Centre	J S Steedman CBE		Great Western Investments Ltd
GW4	Plan showing Green Belt	J S Steedman CBE		Great Western Investments Ltd
GW5	Plan showing Land Acquired for New Stadium	Land Register of Scotland	9 September 1998	Great Western Investments Ltd
GW6	Extract from www.worldofgolf	J S Steedman CBE		Great Western Investments Ltd
GW6	Letter from JS Steedman to WDC	J S Steedman CBE	4 September 2008	Great Western Investments Ltd
GW7	Letter from WDC to GW Investments Ltd	WDC		Great Western Investments Ltd
GW8	Letter from WDC to Glasgow City Council	WDC	15 June 2001	Great Western Investments Ltd
GW9	Letter from GW Investments Ltd to WDC	J S Steedman CBE	28 September 2008	Great Western Investments Ltd
GW10	E mail from WDC to Mr J S Steedman	WDC	2 October 2008	Great Western Investments Ltd
GW11	The Davie Cooper Centre - Information	Gareth Hoskins Architects		Great Western Investments Ltd
GW12	Plan showing Uses/Proposals north of A82	J S Steedman CBE		Great Western Investments Ltd
GW13	E mail from WDC to Mr J S Steedman	WDC	20 October 2008	Great Western Investments Ltd
GW14	Lease Granted to Ashtour Ltd	Registers Direct	15 October 2008	Great Western Investments Ltd
GW15	Letter from GW Investments Ltd to WDC	J S Steedman CBE	27 November 2008	Great Western Investments Ltd
GW16	Letter from WDC to GW Investments Ltd	WDC	20 November 2008	Great Western Investments Ltd
GW17	Copy of Circular to Shareholders	J S Steedman CBE	November 2008	Great Western Investments Ltd
GW18	Letter from GW Investments Ltd to WDC	J S Steedman CBE	24 October 2008	Great Western Investments Ltd
GW19	Letter from WDC to GW Investments Ltd	WDC	28 October 2008	Great Western Investments Ltd
GW20	Letter from GW Investments Ltd to WDC	J S Steedman CBE	25 November 2008	Great Western Investments Ltd
GW21	Letter from WDC to GW Investments Ltd	WDC	28 November 2008	Great Western Investments Ltd
GW22	Planning Application Report to Committee for Golf Centre, Great Western Road	WDC	14 April 2000	Great Western Investments Ltd
GW23	Letter from Scottish Executive to WDC	Scottish Executive	2 June 2000	Great Western Investments Ltd

## APPENDIX 3

### ABBREVIATIONS USED IN THE REPORT

BAA	British Airports Authority
CEDA	Core Economic Development Area
GCVSP	Glasgow and the Clyde Valley Joint Structure Plan 2006
HFS	Homes for Scotland
HLA	Housing Land Audit
HMA	Housing Market Area
HS	Historic Scotland
HSE	Health and Safety Executive
HSMA	Housing Sub Market Area
ITF	International Transport Facility
LTS	Local Transport Strategy
NEC	Noise Exposure Category
NPPG	National Planning Policy Guideline
PAN	Planning Advice Note
PIM	Pre Inquiry Modification
SBC	Strategic Business Centre
SEA	Strategic Environmental Assessment
SEPA	Scottish Environment Protection Agency
SNH	Scottish Natural Heritage
SIBL	Strategic Industrial and Business Location
SPP	Scottish Planning Policy
SINC	Site of Importance for Nature Conservation
SPA	Special Protection Area
STAG	Scottish Transport Appraisal Guidance
SWT	Scottish Wildlife Trust
TPO	Tree Preservation Order
WDC	West Dunbartonshire Council

## APPENDIX 4

### SUMMARY OF OBJECTIONS BY NUMBER giving NAME & SECTION NUMBER CONSIDERED

W – Objection withdrawn and not considered in report

\* Objection to proposed pre inquiry modification

Number	Name	Section Number
1	Thomas Wotherspoon	27 - Levenbank Terrace, Jamestown
3	Maureen and James McLean	27 - Levenbank Terrace, Jamestown
4	Catherine McKenzie	27 - Levenbank Terrace, Jamestown
5	Claire Callanin	27 - Levenbank Terrace, Jamestown
6	Andrew Muir	29 - Dumbarton Town Centre
8	Ali Akbar Najafian	33 - Cochno Waterworks, Clydebank
9	P Noonan	27 - Levenbank Terrace, Jamestown
10	Clydebank and District Golf Club	7 - Clydebank & District Golf Course
11	Clydebank and District Golf Club	7 - Clydebank & District Golf Course
12	Clydebank and District Golf Club	7 - Clydebank & District Golf Course
13	P Doherty (Sandpoint Marina Ltd)	22 - Sandpoint Marina, Dumbarton
14	Balloch & Haldane CC	W
15	A Williams	27 - Levenbank Terrace, Jamestown
16	Aldi Stores Ltd	28 - Town Centres and Retailing
20	Aldi Stores Ltd	28 - Town Centres and Retailing
22	Aldi Stores Ltd	28 - Town Centres and Retailing
24	Aldi Stores Ltd	28 - Town Centres and Retailing
34	Dunbritton Housing Association	34 - Dalreoch Quarry, Dumbarton
35	Philip Watt	37 - Clarence Street, Clydebank
36	Hugh Kinloch	23 - Main Street, Jamestown
37	University of Glasgow	W
38	Upland Developments Limited	W
51	Mill of Haldane CA	W
52	Barratt West Scotland	13 - Stirling Road, Bonhill
54	Dunbritton Housing Association	W
67	Marshall Ltd	9 - Duntiglennan Farm, Duntocher
68	Drivers Jonas	30 - Clyde Retail Park, Clydebank
69	GK2 Developments	W
70	Turnberry Homes Ltd.	34 - Dalreoch Quarry, Dumbarton
71	Glasgow City Council	W
72	British Land and Henry Lax Ltd	W
73	Clydeport PLC	19 - Rothesay Dock, Clydebank
74	Gartmore Properties	8 - Auchinleck Road, Clydebank
75	Walker Group/Strathleven RC	12 - Strathleven, Dumbarton
76	Glasgow City Council	W
91	The Carvill Group	W
92	Allied Distillers	16 - Dumbuck Warehouses, Dumbarton
95	Dumbarton East & Central CC	26 - Crosslet House, Dumbarton
96	Dumbarton East & Central CC	26 - Crosslet House, Dumbarton
97	Silverton & Overtoun CC	26 - Crosslet House, Dumbarton
98	Dalmuir Park Housing Association	25 - Policy for Social Housing
99	John Gilleece	W
100	Laurie MacKay	W
101	Elizabeth Binnie	W
102	A Quinn	W
103	Christine Bradley	W
104	Marion Birnie	W
105	Dalmuir Park Housing Association	5 - Dalmuir Wedge, Clydebank
106	James Graham	32 - Salmon and Freshwater Fisheries
107	Bowling & Milton CC	15 - Bowling Basins, Bowling

<b>Number</b>	<b>Name</b>	<b>Section Number</b>
108	Bowling & Milton CC	15 - Bowling Basins, Bowling
111	sportscotland	35 - Policies Open Space and Recreation
114	sportscotland	35 - Policies Open Space and Recreation
116	sportscotland	W
118	sportscotland	35 - Policies Open Space and Recreation
119	sportscotland	35 - Policies Open Space and Recreation
120	Wm Morrison Supermarkets	28 - Town Centres and Retailing
122	Defence Estates	28 - Town Centres and Retailing
123	Great Western Investments Ltd.	6 - Great Western Road, Clydebank
124	Sam Gibson	W
125	Sam Gibson	5 - Dalmuir Wedge, Clydebank
126	Sam Gibson	5 - Dalmuir Wedge, Clydebank
128	Sam Gibson	4 - Green Belt Policy and Open Space
129	Sam Gibson	4 - Green Belt Policy and Open Space
135	Clydebelt	15 - Bowling Basins, Bowling
137	Clydebelt	W
138	Clydebelt	5 - Dalmuir Wedge, Clydebank
140	Clydebelt	15 - Bowling Basins, Bowling
143	Clydebelt	4 - Green Belt Policy and Open Space
145	Walker Group/Strathleven RC	18 - Industrial Policies
146	Walker Group/Strathleven RC	18 - Industrial Policies
147	Tarmac	11 - Dumbuckhill, Dumbarton
148	Jermon Ltd	29 - Dumbarton Town Centre
149	Loch Lomond Fisheries Trust	32 - Salmon and Freshwater Fisheries
150	Jermon Ltd	29 - Dumbarton Town Centre
152	Jermon Ltd	W
153	Lidl UK GmbH	28 - Town Centres and Retailing
154	Lidl UK GmbH	17 - Housing/Redevelopment Alexandria
155	Lidl UK GmbH	17 - Housing/Redevelopment Alexandria
156	Lidl UK GmbH	28 - Town Centres and Retailing
158	Clydebelt	5 - Dalmuir Wedge, Clydebank
160	Clydebelt	4 - Green Belt Policy and Open Space
161	Clydebelt	W
162	Clydebelt	4 - Green Belt Policy and Open Space
163	Clydebelt	4 - Green Belt Policy and Open Space
164	Clydebelt	W
165	Clydebelt	4 - Green Belt Policy and Open Space
166	Clydebelt	4 - Green Belt Policy and Open Space
167	Clydebelt	4 - Green Belt Policy and Open Space
168	Clydebelt	4 - Green Belt Policy and Open Space
169	Clydebelt	4 - Green Belt Policy and Open Space
170	Clydebelt	4 - Green Belt Policy and Open Space
172	Clydebelt	4 - Green Belt Policy and Open Space
174	Clydebelt	5 - Dalmuir Wedge, Clydebank
179	Environment Trust	W
180	Environment Trust	35 - Policies Open Space and Recreation
181	Environment Trust	W
182	Environment Trust	35 - Policies Open Space and Recreation
183	Environment Trust	W
184	Environment Trust	35 - Policies Open Space and Recreation
185	Scottish Enterprise	W
186	Scottish Enterprise	20 - Former Esso Site at Bowling
197	SEPA	36 - Waste Management and Water Quality
199	SEPA	36 - Waste Management and Water Quality
200	SEPA	36 - Waste Management and Water Quality
206	Jamestown Community Group	27 - Levenbank Terrace, Jamestown
207	Joseph Callaghan	27 - Levenbank Terrace, Jamestown

<b>Number</b>	<b>Name</b>	<b>Section Number</b>
208	S A McCulloch	27 - Levenbank Terrace, Jamestown
209	The Theatres Trust	28 - Town Centres and Retailing
212	National Grid PH/Scotland Gas Networks	24 - Housing Policies
213	National Grid PH/Scotland Gas Networks	24 - Housing Policies
214	National Grid PH/Scotland Gas Networks	24 - Housing Policies
215	R McLaughlin	10 - Carleith Farm, Duntocher
217	Somerfield Stores Limited	W
219	Somerfield Stores Limited	W
220	Somerfield Stores Limited	W
241	Glasgow & Clyde Valley JSPC	28 - Town Centres and Retailing
254	SNH	14 - Erskine Ferry Road, Old Kilpatrick
255	SNH	W
269	SNH	31 - Environmental Policies
271	SNH	31 - Environmental Policies
274	SNH	31 - Environmental Policies
288	Vico Property Group	28 - Town Centres and Retailing
289	British Land and Henry Lax Ltd	29 - Dumbarton Town Centre
290	British Land and Henry Lax Ltd	29 - Dumbarton Town Centre
292	Glasgow & Clyde Valley JSPC	28 - Town Centres and Retailing
293	Glasgow & Clyde Valley JSPC	W
294	A L Taghi	21 - Castlegreen Street, Dumbarton
296	Wm. Morrison Supermarkets	28 - Town Centres and Retailing
297	Wm. Morrison Supermarkets	28 - Town Centres and Retailing
298	Clydebelt	4 - Green Belt Policy and Open Space
299	Sam Gibson	4 - Green Belt Policy and Open Space
308*	Clydebelt	4 - Green Belt Policy and Open Space
309*	Eatonfield Group	W
310*	Lidl UK GmbH	28 - Town Centres and Retailing
393	Stuart Divers	5 - Dalmuir Wedge, Clydebank
394	Walter Graham	5 - Dalmuir Wedge, Clydebank
395	Parkhall, North Kilbowie & Central CC	5 - Dalmuir Wedge, Clydebank
397	Gilbert Howatson	5 - Dalmuir Wedge, Clydebank
416	Clydebank Local History Society	5 - Dalmuir Wedge, Clydebank
417	Sam Gibson	5 - Dalmuir Wedge, Clydebank
420	Allan MacLeod & Barbara-Ann Clarke	5 - Dalmuir Wedge, Clydebank
421	Andrew D McNair	5 - Dalmuir Wedge, Clydebank
422	Anne Smith	5 - Dalmuir Wedge, Clydebank
423	Anne-Marie Gorman	5 - Dalmuir Wedge, Clydebank
424	Brian Ward	5 - Dalmuir Wedge, Clydebank
425	Betty MacPherson	5 - Dalmuir Wedge, Clydebank
426	Claire Kennedy	5 - Dalmuir Wedge, Clydebank
427	Des McNulty MSP	5 - Dalmuir Wedge, Clydebank
428	Elsbeth Kennedy	5 - Dalmuir Wedge, Clydebank
429	Gerry McColl	5 - Dalmuir Wedge, Clydebank
430	Graeme M Phanco	5 - Dalmuir Wedge, Clydebank
431	J G McDonald	5 - Dalmuir Wedge, Clydebank
432	James Thomson	5 - Dalmuir Wedge, Clydebank
433	Jeanette Brown	5 - Dalmuir Wedge, Clydebank
434	Mark Kennedy	5 - Dalmuir Wedge, Clydebank
435	Maureen Moffat	5 - Dalmuir Wedge, Clydebank
436	William and Margaret McDougall	5 - Dalmuir Wedge, Clydebank
437	W E Menzies	5 - Dalmuir Wedge, Clydebank
438	William McVean	5 - Dalmuir Wedge, Clydebank
439	The McBreartys	5 - Dalmuir Wedge, Clydebank
440	Robert Stuart	5 - Dalmuir Wedge, Clydebank
441	Stephen Martin	5 - Dalmuir Wedge, Clydebank
442	Laura McKinnon	5 - Dalmuir Wedge, Clydebank

<b>Number</b>	<b>Name</b>	<b>Section Number</b>
443	Heather Crossland	5 - Dalmuir Wedge, Clydebank
444	Anne E Smith	5 - Dalmuir Wedge, Clydebank
445	James N Paisley	5 - Dalmuir Wedge, Clydebank
446	Standard Letter A (1,667)	5 - Dalmuir Wedge, Clydebank
447	Standard Letter B (285)	5 - Dalmuir Wedge, Clydebank
448	Standard Letter C (87)	5 - Dalmuir Wedge, Clydebank
449	Standard Letter D (17)	5 - Dalmuir Wedge, Clydebank
450	Standard Letter E (6)	5 - Dalmuir Wedge, Clydebank
451	Standard Letter F (6)	5 - Dalmuir Wedge, Clydebank